



THE SECRETARY OF THE INTERIOR
WASHINGTON

November 9, 1912.

My dear Mr. Ayer:

Knowing as I do your very great interest in the North American Indians, as well as your very great knowledge of them and of their history, I have for some time been desirous of securing the benefit of your valuable assistance in the administration of the Office of Indian Affairs. I think the opportunity is now offered in a vacancy which has occurred in the Board of Indian Commissioners, and to which the President and I are very desirous of appointing you.

The Board of Indian Commissioners was created in 1869 and is not a bureau or division of any department. Its members are "appointed by the President solely from men eminent for their intelligence and philanthropy". Its original purpose, as stated by Congress, was that of enabling the President to carry out the then new peace policy of dealing with the Indians. In process of time and by authority of various subsequent enactments of Congress it has become an advisory body with specific power to visit and inspect Indian agencies and other branches of the Indian Service, and to inspect goods purchased for said Service. The Commissioner of Indian Affairs is directed to consult with the Commission in the purchase of supplies, and the Commission makes reports to the Secretary of the Interior. Its

members draw no salaries, but Congress makes a small annual appropriation for clerical hire and incidental expenses.

I am very anxious indeed to see this body become a real active force in the administration of Indian affairs by the Federal Government. I think it can be of very great service. I hope it will appeal to you as an opportunity for disinterested public service, for which you are peculiarly qualified. The present work of the Board would not require a great deal of your time, and I do not think that any future enlargement of that work would be found by you to be a serious burden. Of course the views of the Commissioners would be carefully considered in any such enlargement, which would necessarily depend upon the amount of time which men like yourself would find it possible and agreeable to give to the public without financial compensation.

Kindly let me know whether you would be willing to accept the appointment, and believe me

Sincerely yours,

A handwritten signature in cursive script, reading "Warren L. Fisher". The signature is written in dark ink and is positioned above the typed name "Secretary".

Secretary.

Mr. Edward E. Ayer,
North State and Bank Streets,
Chicago, Ill.

Members of the Board of Indian Commissioners.

Andrew C. Draper, Chairman,	State Commissioner of Education, Albany, N. Y.
W. C. Phillips, Secy.	Room 320 Corcoran Bldg., Wash. D. C.
Albert K. Smiley,	Mohon Lake, Ulster Co., N. Y.
William D. Walker,	367 Elmwood Ave., Buffalo, N. Y.
Jas. Cardinal Gibbons,	Baltimore, Md.
George Vaux, Jr.,	1606 Morris Bldg., Phila.
Warren K. Moorehead,	Andover, Mass.
Samuel A. Eliot, D. D.	25 Beacon St., Boston, Mass.
Dr. Merrill E. Gates,	1309 Rhode Island Ave., Wash., D. C.
Hon. Frank Knox,	Sault Ste Marie, Mich.

THE SECRETARY OF THE INTERIOR
WASHINGTON

*Answered
11/27*

November 20, 1912.

My dear Mr. Ayer:

I was very glad indeed to receive your letter of November 11th, indicating your willingness to serve on the Board of Indian Commissioners. I read your letter to the President and he is much pleased to make the appointment.

I send under separate cover your commission and other papers with letter of instructions as to signing and qualifying. I will have the officials of the Indian Office and of the Board of Indian Commissioners communicate with you further with regard to the work of the Board.

I congratulate the service on your appointment, and am

Sincerely yours,

Wm. L. Fisher
Secretary.

Mr. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

Answer 11/23

DEPARTMENT OF THE INTERIOR

at

WASHINGTON

November 20, 1912.

Mr. Edward E. Ayer,
Railway Exchange Building,
Chicago, Illinois.

Sir:

In connection with your appointment as a Member of the Board of Indian Commissioners, vice Michael E. Bannin, deceased, you will please execute at your convenience the enclosed oath of office and return it to this Department; also personal statement card.

Appointments on the Board are made under the Act of Congress approved April 10, 1869 (16 Stats., 40), which provides that its members be selected "from men eminent for their intelligence and philanthropy, to serve without pecuniary compensation."

A printed copy of the last annual report of the Board is enclosed, which will give you an idea of its duties.

A list of the members and their addresses is printed on page 11. Mr. Andrew S. Draper, Albany, N. Y., is chairman.

The Secretary of the Board, Mr. Harry C. Phillips, Room 320, Corcoran Building, 533 Fifteenth Street, Washington, D. C., will be notified of your appointment; also the Commissioner of Indian Affairs.

Very respectfully,

Samuel Seyler
Assistant Secretary.

Enclosure 8613.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Answered 11/23

Andover, Mass., November 21, 1912.

Honorable Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.

My dear Mr. Ayer:

I notice by associated press dispatch that you are appointed by President Taft a member of the Board of Indian Commissioners. I am very glad to see this and welcome you to our number.

Under separate cover I hand you copy of the article on the Lake Mohonk Conference, where two of the members of the Board had considerable to say.

I have been greatly interested in the bettering of conditions on Indian reservations, but for the past four years have had an uphill fight, with much discourage one. The Department of Justice took over all the evidence I collected at White Earth, Minnesota, and although three years have elapsed, few Indian lands have been recovered and the statute of limitation has run its course and it will now be impossible to send any of the guilty parties to the penitentiary. We hope, however, in Oklahoma to bring about radical reforms. I think the entire trouble is due to the fact that we have hurried the Indian into citizenship and have not protected him in his property rights. I shall be very glad to see you at our annual meeting in Washington in January.

With best wishes, I am,

Very cordially yours,

Warren K. Moorehead

WKM-D

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.

November 22, 1912.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Sir:

Notice has just been received from the Interior Department of your appointment as a member of the Board of Indian Commissioners and I take the first opportunity of extending to you, on behalf of the members of the Board, a cordial welcome which I am sure you will receive from them.

The Interior Department states that a copy of the last annual report of the Board has been sent to you. Under separate cover there are being mailed as many of the reports of former years as are now available. ✓ I am also sending a supply of the Board's stationery for your official use. ✓

Please feel entirely free to make any inquiries that occur to you regarding the history or the nature of the Board.

Very sincerely yours,

H. C. Phelps
Secretary.

Amid 11/27/12

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.

November 22, 1912.

Hon' Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

Mr. Ayer wants to go.

My dear Sir:

By direction of Acting Chairman Vaux, the annual meeting of the Board of Indian Commissioners will be held at the Board's office in Washington, D.C., January 15, 16 and 17, 1913, with the understanding that an adjournment may be taken on the 16th if the business of the meeting shall then have been concluded.

It is hoped that nothing will prevent your attendance at the meeting where you will have opportunity to become personally acquainted with your colleagues.

Very sincerely yours,

H. C. Phelps
Secretary.

874

November 22nd, 1912.

Hon. Walter L. Fisher,
Secretary of the Interior,
Washington, D.C.

Dear Sir:-

This will introduce to you Mr. Frank Donnelly, who represents the interests of Mr. Edward F. Swift in some lands at Echo, Ore., which he desires to talk to you about.

You may be sure that anything Mr. Donnelly tells you in regard to this subject is the truth and by giving him an interview, you will confer a special favor.

Yours very truly,

E. C. Sawyer

November 23rd, 1912.

Dear Sir:--

Per your request of November 20th, I
herewith return, executed, my oath of office
and personal statement card.

Yours truly,

A handwritten signature in cursive script, appearing to read "E. H. Taylor".

Mr. S. C. Laylin,

Asst. Secretary,

Department of the Interior,

Washington, D.C.

November 23rd, 1912.

Dear Sir:--

AS per your request,

November 23rd, 1912.

Dear Mr. Moorehead:--

I have your letter of November 21st and contents noted. - I shall read the book you send me, with great pleasure.

I shall try to be at the meeting in Washington and shall be ready at all times to do anything I can to further the interests of the people we are expected to look after.

Yours very truly,



Mr. Warren K. Moorehead,

Andover, Mass.

Chicago, November 27th, 1912.

Mr. H. C. Phillips, Sec'y.,
Board of Indian Commissioners,
Washington, D.C.

Dear Sir:-

Your three letters have come duly to hand and I thank you most sincerely for the information given. The books have also all arrived.

I will certainly be present on January 15th at the annual meeting of the Board in Washington.

Very truly yours,

Edw. E. Rogers

November 27th, 1912.

Dear Sir:-

Yours of November 20th came duly to hand, followed by my commission as member of the Board and data, etc., from Secretary Phillips.

I will certainly try to do everything I can, Mr. Fisher, to faithfully attend to any business allotted to me.

Yours very sincerely,

Edw. Eager

Hon. Walter L. Fisher,
Secretary of the Interior,
Washington, D.C.

Mr

November 27th, 1912.

Dear Mr. Moorehead,-

I cannot tell you how pleased I was to get your letter with the clippings, and how especially pleased I was to get the enclosed letter from Dorsey.

I am not surprised at the subject matter, but I send it, as I want you to know how people, who have known you so long and been associated with you, consider you.

I shall look forward to meeting you at the meeting in Washington with the greatest pleasure and I feel perfectly sure that I shall be disposed to follow your lead in the splendid work you are doing in the Commission,

Very truly yours,

Mr. Warren K. Moorehead,
Andover, Mass.

Edw. Rayner

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.

December 7, 1912.

Hon. Edward E. Ayer,

Railway Exchange Bldg.,

Chicago, Ill.

My dear Commissioner Ayer:

With great regret I have to announce the death, on December 2d., of Commissioner Albert K. Smiley who died at his winter home in California, the cause, so far as my present information goes, being overwork and nervous exhaustion.

I also have to announce that the resignation of Commissioner (Cardinal) Gibbons, which sometime ago was submitted to the President, has been accepted, and that on December 3d. the President appointed in his place Rev. William H. Ketcham, the Director of the Bureau of Catholic Indian Missions, with headquarters in this city. Father Ketcham was born in 1868 and has been a Roman Catholic Priest since 1891. From 1891 to 1901 he was missionary at different times to the Creek, Cherokee and Choctaw Indians. Since 1901 he has held his present office as Director of the Bureau of Catholic Indian Missions.

The delay in sending these notices has been due to the writer's absence in Oklahoma where he was sent on short notice to take the place of Commissioner Vaux on a committee to ascertain the wishes of the Apache prisoners of war as to place of future residence. A report on that subject will be submitted at an early date.

Very sincerely yours,

H. C. Phillips
Secretary.

At Princeton, N.J., December 19th, 1912.

Col H. L. Scott,

My dear Col. Scott,-

One of our former students, Rev. James H. Bell, Dulce, New Mexico, has been working for some months among the Tiganilla Apachis; and he has written to me such a distressing account of their condition and of his failure to secure government intervention that I venture on my own motion to call your attention to their case.

Mr. Bell writes me that they number about 800, and are dying off, that they have been driven from their former good lands up into barren, rugged mountains (alkali soil and alkali water everywhere) that they have no cattle, no sheep, no horses, that they have no annuities, as many other Indians, and that they have no work on the reservation by which to make a living. Under these circumstances, as might be expected, he says that the Indians are starving and in cold weather are freezing. 47 children died of measles in one week last winter. So moving was Mr. Bell's appeal and such is our confidence in him that the ladies here are making up a large lot of clothing and supplies. This, however, will afford only temporary relief for a few. If you can do anything to secure a permanent betterment of their situation, we shall all be profoundly gratified.

Very sincerely yours,

(Sgd) W. Brenton Greene, Tr.

Department of Archaeology
Phillips Academy
Andover, Massachusetts

CHARLES PEABODY, HONORARY DIRECTOR
WARREN K. MOOREHEAD, QUARTER

Answer 1712

December 10, 1912.

Honorable Edwin E. Ayer,
Railway Exchange Building,
Chicago, Ill.

My dear Mr. Ayer:

I am coming to Chicago to lecture the evening of Friday, December 20th. I shall stop in the southern part of the state en route and see some quarries. I expect to arrive at Chicago the morning of the 18th. Shall be very glad to call upon you and talk about the Board of Indian Commissioners if you could spare a few minutes of your time either the 19th or 20th.

Trusting that this will be convenient, I am,

Very cordially yours,

Warren K. Moorehead

WKM-D

December 12th, 1912.

Dear Mr. Moorehead,-

I am more than glad to get your letter of December 10th. It will give me the greatest pleasure to meet you.

Please meet me at the Chicago Club at ^{1.0 P.M.} ~~noon~~ the day of the 18th. I will put you up there and I want to take you down to the Museum and have a long talk with you over the duties that will be expected of a tender-foot in your Commission.

Yours very truly,



Chicago, Ill., December 17, 1912.

Mr. H. C. Phillips, Sec'y.,
Board of Indian Commissioners,
Washington, D.C.

Dear Mr. Phillips,-

I have yours of December 7th and the report of the
Board of December 11th, and thank you.

I am delighted to know that Father Ketcham has been
appointed on the Commission. It will give me great pleasure to meet
with him.

Very sincerely yours,

Edw. E. Ayer

COPY.

CARNEGIE INSTITUTION OF WASHINGTON
WASHINGTON, D. C.

OFFICE OF THE PRESIDENT

December 18th, 1912.

Edward E. Ayer, Esquire,
Railway Exchange Building,
Chicago, Ill.

My dear Sir:

Acknowledging the due receipt of your letter of the 10th instant, I beg to express the wish that you may let me know just when you are to be in Washington so that we may set a time for an interview. I shall be glad to give you all of the time necessary to talk over matters of mutual interest; and I trust also that you may visit Professor Jameson, Director of our Department of Historical Research, and learn at first hand what his department is doing along lines in which you are specially interested.

It is refreshing to find a correspondent who entertains what appear to me to be rational views with regard to the possibilities of contemplated work under the auspices of the Institution. I have wished, and still wish very much, that we might do work in the ways you indicate; but the time for such work has not yet come for the Carnegie Institution of Washington. I do not think such a publishing enterprise as you contemplate could be made at present under the auspices of the Institution to pay more than a third of the expense involved in mere bookmaking, exclusive of the cost of collecting materials and preparing manuscript for press. The world

loses its capacity to use mental arithmetic when it comes to consider publications issued by any establishment having Mr. Carnegie's name attached to it. Popular opinion is slowly becoming more rational with respect to our publications; but at present scholars are very reluctant to purchase our works at prices which are only about half those which would be charged and readily paid if these publications were issued through commercial houses. If the world could have had its way the primary purpose of the Institution, namely, the prosecution of research, would have been speedily subverted and replaced by a grand gift-book enterprise like the distribution of publications under our governmental Department of Agriculture. Our experience in regard to this matter, as well as in regard to many others, would be incredible if it had not occurred.

Very truly yours,

A. S. Woodward

CARNEGIE INSTITUTION OF WASHINGTON
DEPARTMENT OF HISTORICAL RESEARCH

J. FRANKLIN JAMESON
DIRECTOR

1140 WOODWARD BUILDING
WASHINGTON, D. C.

one copy

December 19, 1912.

My dear Mr. Ayer:

President Woodward tells me that you will be in Washington on January 16-18. I shall hope at that time to have an opportunity to discuss with you more fully than is possible in letters the question, what can be done with respect to the materials for American history in Spanish archives. If during your stay in Washington you could make it convenient to come to my office in the Woodward Building, I should like to show you certain things that I have here, a consideration of which may help toward deciding what can be done. By that time you will perhaps have had some talk with Mr. Ryerson and Mr. Hutchinson, with both of whom I had some conversation respecting the matter while they were here in attendance upon the meeting of the board of trustees of the Carnegie Institution of Washington.

I am very earnest that as much as possible should be done toward making valuable materials respecting American history in the Spanish archives, and especially in the Ar-

chives of the Indies at Seville, available by American scholars. This office, the Department of Historical Research in the Carnegie Institution, may claim to have already done a good deal in this direction, and is prepared to go on and do more. It is however to be remembered that the Carnegie Institution has a definite and limited income, out of which definite appropriations are made to its departments; that these departments have embarked on undertakings of so long continuance that the appropriations that the appropriations to each will have to be kept up in 1913 1914, etc., upon about the same scale as in 1911 and 1912, so that one cannot hope for a diversion to the Department of Historical Research of a total sum much larger than that of the last few years; and that the appropriations made to this Department have to be distributed among various objects. These objects I select with the utmost care. I do not mean to let my personal interests or tastes have anything to do with the processes of selection. My effort must be to serve the interests of as many excellent historical scholars, engaged in writing things worth while, as is possible. I have of late had about \$4000 per annum to spend in the foreign field. In that field several lines of research have to be looked out for in each year. On the whole, as is natural,

I have had more done in England than in any other one European country; next to that, and in about equal measure, in France and Spain. In 1913 I can do no more than to finish, in the first months of the year, what is now going on. You can readily see that in future years I could never throw the whole expenditure from my foreign fund into the Spanish channel; so, though prepared to do a good deal with the funds of this Department in the line of what you desire, I cannot go beyond a certain point.

My conviction is, however, that all the money which it is expedient to use in the next two or three years can be raised without much difficulty in this rich country, as appreciation of the meaning of Spanish material for American history is increasing. But there are two things which must always be kept in mind: the necessity of pursuing a proper order, and the necessity of avoiding duplication. As to the proper order, it is, first, the preparation of a general survey such as Mr. William R. Shepherd's "Guide to the Materials for the History of the United States in Spanish Archives", published by this Institution in 1907; secondly, proceeding upon a larger scale, to take that archive, and that section of the archive selected which is most important for American history, and make an itemized list of the materials useful to American history which it contains; and, thirdly, and only

after these first two processes have been carried out, to undertake copying. I have in this office enough evidence to convince any reasonable man of the utter unwisdom of undertaking any large scheme of copying until good calendars have preceded. I have had an excellent man at work in the Archives of the Indies for two years, calendaring in this manner the American materials in the section called "Papeles procedentes de la Isla de Cuba". His work will be in shape for some use before the end of 1913, though not by that time in print. While he himself has to come back this spring, I think of another man, fully competent to the job, who could be persuaded to go out later and continue the work; but I think there is only one. Your correspondent speaks of Professor Bolton; but I am sure that no money would hire a man in his position to immerse himself in such a task for so long a time as would be requisite.

Also there are considerations of duplication. It must be borne in mind that the Library of Congress has each year a fund of \$5000 for copying in European archives, and that, having after several years finished about all that it means to do in England, it is likely to turn next toward France and Mexico. If an organization were formed

for doing similar work, it should select another field; in other words, Spain rather than Mexico, if, as I think, Mr. Putnam has no present intention of attacking the Spanish problem.

Still another question is, what do we want to have in this country, to represent these materials in the Spanish archives. Your correspondent speaks vaguely of this, as most people do, and especially vaguely in quantitative respects, as if it made little difference in framing these projects whether one were talking of a few thousands of papers or of millions. I suppose that there are a good many more than a million documents relating to American history in the Spanish archives. The one section of the Archives of the Indies with which our agent has been dealing contains three or four hundred thousand. In short, the boundaries of any such enterprise must be defined with care and with full knowledge, or the persons who embark in it will be sadly disappointed. I have seen it happen so with organizations, many times. Another thing to be thought of is, supposing a given selection of papers, what does this country need - one copy, at one place, or several copies, at several different places. I leave at one side the suggestion of translations, for scholars do not trust translations but must have access to the originals or to

copies of them. I also leave at one side the question of printing, because historical scholars would need to use many documents that it would be superfluous to print. One set of copies in Chicago would be two thousand miles from people in Berkkeley, and vice versa. With the use of the cheaper methods of photography now known, one can have copies at several different points in the country.

I am merely throwing out these suggestions of the questions to be asked and difficulties to be met, in order to make clear my conception of the deliberation with which it is necessary to proceed in doing anything in the line of what you desire. The substance of what you wish probably can and will be attained sometime in this country, but a good deal of expert consultation, investigation, and estimating ought to precede. My view would be that the best way to secure good results is to get the American Historical Association to appoint a committee of five of its members who would be recognized as experts having the best knowledge and judgment of the problems involved, and let them frame carefully a plan for using whatever money could be raised in the United States for the purpose.

I have written at some length. It has however been my wish that, if we are to have a chance to talk of these

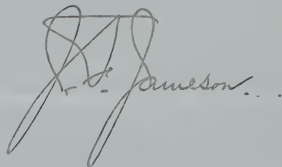
Mr. Ayer -

matters a month from now, you should have in your mind beforehand as many as possible of the different topics which I think will have to be considered before any wise plan could be made.

I take this opportunity to thank you most cordially for a copy of your Catalogue of Narratives of Indian Captivities, which you have been so kind as to send to me. I remember the great pleasure you gave me when I was in Chicago by showing me your wonderful library; but the catalogue of this single section shows plainly how greatly you have extended your collection since that date.

Believe me, with high regard,

Very truly yours,

A handwritten signature in dark ink, appearing to read "R. L. Jameson". The signature is stylized with large, sweeping loops and a long horizontal stroke at the end.

Edward E. Ayer, Esq.
Railway Exchange Building
Chicago, Illinois.

Chicago, December 20th, 1912.

712
Mr. Walter L. Fisher,
Secretary of the Interior,
Washington, D.C.

Dear Sir:-

I send you a copy of letter written to Col. H. L. Scott ,
a very dear friend of mine, which explains itself. It seems to
me this is a case that needs immediate attention.

Very truly yours,

Lawrence

COPY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
December 20, 1912

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

*Answered
12/23*

My dear Commissioner Ayer:

Official notice has just
been received here of the appointment by the
President on December 17th, of Mr. Daniel Smiley,
Mohonk Lake, N. Y., to be a member of the Board
of Indian Commissioners in place of his brother
Albert K. Smiley, deceased.

Very sincerely yours,

H. C. Phelps
Secretary.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
December 21, 1912

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

am

My dear Commissioner Ayer:

Enclosed for your official use are Government rate cards issued by the Western Union Telegraph Co. and the Postal Telegraph-Cable Co. These cards entitle you to send messages on Government business at the rate of 1¢ a word, address and signature included. While in theory they avoid the prepayment of charges, in view of peculiar conditions affecting the disbursing matters of the Board, it is much better in all cases for the sender to pay the charges at the rate above named and include the amount in his expense account with a copy of the telegram sent.

The numbers of the cards are as follows: Western Union No. 6598Q; Postal, No. 256-C.

Very sincerely yours,

H. C. Phillips
Secretary.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Andover, Mass., Dec. 23, 1912.

Honorable Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Mr. Ayer:

I reached home safely and desire very much to thank you for your kind hospitality and for the interest which you showed in the Indian situation. Please convey my respects to Mrs. Ayer. I enjoyed the luncheon in your beautiful home, and Mrs. Moorehead and myself hope to have the pleasure of entertaining you at some time here in Andover.

I telegraphed you this morning and requested that you write to Secretary Fisher and recommend Honorable E. B. Meritt, Chief of the Law Division, United States Indian Office, for the head Commissionership. Meritt is the man I told you about. Our Commissioner Vaux is inclined towards Mr. Abbott and Vaux has been in Washington several times recently going about with Abbott. I received notice from the ^{Board} Secretary ^{Phillips} today that rumor had it in Washington that Abbott would secure the place. This would be unfortunate. A letter from you to Mr. Fisher will carry weight.

According to my best knowledge and belief Meritt would make a much better Commissioner than Mr. Abbott. I know the inside history of the whole business better than anyone else and I feel free to say that the appointment of Abbott would be most unfortunate.

The meeting of the Board is January 15, 16 and 17. I shall go to Washington the evening of the 13th, arriving there the 14th, shall stop at the New Willard and be glad to see you there.

With best wishes and many thanks, I am,

Very sincerely yours,

Warren K. Moschud

P. S. I shall write to Honorable James M. Graham, Chairman of the Interior Department In~~vi~~estigation Committee, and ask him for the reports you desire.

Chicago, December 23rd, 1912.

Hon. Walter L. Fisher,
Secretary of the Interior,
Washington, D.C.

Dear Sir:-

I understood that Mr. Abbott and Mr. E.B. Merritt are both candidates for Indian Commissioners.

I think it was a great misfortune that you could not get Mr. Revill when you wanted him, as he would have been absolutely ideal, but from what I have been able to read on the subject since my appointment, I have got the impression that Mr. Abbott was not particularly in accord with the Indian Commission.

It is very evident that if you have a Commissioner there who is not in accord with the work that we are expected to do, it would cause more or less friction and negative our efforts.

It appears to me that Mr. Abbott's connection with the Indian affairs in New Mexico and the work of the Indian Commission there was not in harmony.

I have no one to suggest, but I think you will agree with me that, if you want the best results out of the ten gentlemen that you want to work with and your Indian Commissioners office, there should certainly be extreme harmony between them.

Very truly yours,

Edward Eager.

Chicago, December 23rd, 1912.

Dear Mr. Phillips,-

I have your letters of December 20th and 21st and contents noted. I received the two telegraph blanks and will use them as per instructions. I sincerely think Mr. Smiley will make a valuable member of the Commission.

Yours very truly,

Edw. Rogers

Mr. H. C. Phillips,

Secy., Board of Indian Commissioners,

Washington, D.C.

December 24th, 1912.

Dear Mr. Moorehead,-

I have your telegram of yesterday and have written to Secretary Fisher on the subject, calling attention to the fact that I did not believe Mr. Abbott was harmonious with the Commission.

Please do not quote me as having written Mr. Fisher before you see me.

Very truly yours,



Mr. Warren K. Moorehead,
Andover, Mass.

December 26th, 1912.

My Dear Mr. Moorehead,-

I have your Christmas card to-day and thank you most sincerely for your kind wishes. I will certainly meet you in Washington.

Very truly yours,

Edwin R. Taylor

Mr. Warren K. Moorehead,

Andover, Mass.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.
1606 Morris Building, Philadelphia, Pa.

December Twenty-seventh
Nineteen Hundred & Twelve

To the Members of the United States Board of Indian Commissioners,

Gentlemen:-

In view of the approaching annual meeting of the Board, of which the Secretary has already sent preliminary notice, I desire respectfully to call your attention to the following matters of importance:-

- I - I enclose herewith a copy of the formal resignation which I have received from Mr. Phillips. As you are all aware, this is a matter that has been pending for some-time past, but none the less regrettable on that account. At the meeting in January, it will be necessary for some steps to be taken to secure a successor to Mr. Phillips.
- II - I enclose a list of the members of the Committee on Indian Affairs of the United States Senate. The status of our appropriation is that the Indian Bureau strongly recommended that we should have an increase to \$10,000. The House promptly cut down this amount to \$4,000. Mr. Phillips makes the suggestion that if each member of the Committee would write to the Chairman of the Senate Committee, Hon. Robert J. Gamble, requesting on behalf of the Board that the Committee amend the bill by making the Board's appropriation \$6,000., and also urge him that when the matter comes up for consideration the Senate Committee and conferees insist on retaining \$5,000. as our appropriation, it would be a great help. Also, that similar letters be written to each of the Senators from your own states, and to the principal members or all of the members of the Senate Committee.

I am aware that some members of the Board feel that it is not the wisest thing for the Board to take this sort of action, but I believe it is the only way in which it will be possible for the appropriation to be procured.

With the compliments of the season, I am

Sincerely yours,

George Vanhook

Acting Chairman.



THE SECRETARY OF THE INTERIOR
WASHINGTON

December 28, 1912.

Dear Mr. Ayer:

I have your letter of December 23rd, in which you suggest the importance of appointing a Commissioner who will be in accord with the work of the Board of Indian Commissioners. I am entirely in accord with your suggestion, which will be borne in mind when the appointment of a Commissioner of Indian Affairs is finally taken up for determination.

Very truly yours,

Wm. L. Fisher
Secretary.

Mr. Edward E. Ayer,
Chicago, Illinois.

Chicago, December 30, 1912.

Dear Mr. Moorehead,-

The enclosed copy of letter from Secretary
Fisher will explain itself.

Yours very truly,

Edw. R. Taylor

Mr. Warren E. Moorehead,
Andover, Mass.

New York Herald
December 17, 1912.

Reorganize Indian Office, Demands Secretary Fisher,
Urging A Sweeping Inquiry.

Head of Interior Department Says Clerks Now Pass on
Weighty Questions.

Wants Adequate Staff.

Many Efficient Men Leave the Work for Better Places,
He Complains.

Herald Bureau, No.1, 502 H Street, N.W.,
Washington, D.C., Monday.

In his annual report just made public Walter L. Fisher, Secretary of the Interior, * * * * * says:-

"The functions which the Department of the Interior exercises with regard to Indian affairs are among the most important and at the same time the most difficult in the entire government service. The difficulties inherent in the problems themselves, considered without reference to outside influence and interference, are exceedingly great. They are enormously enhanced by these outside influences and interferences. If the Indians now living in this country were located in a territory set apart for their exclusive use from which all white men not engaged in the performance of official duties connected with the Indians were absolutely excluded, and if all forms of trading by white men with Indians were strictly prohibited, the problems of administration would tax the wisdom and the executive ability of the most experienced and disinterested men. Even under such conditions, to care for the Indians and to fit them morally, intellectually, and industrially for future citizenship would be a task of huge proportions.

"Under the conditions which in fact prevail this task becomes tremendous. The Indian is not thus isolated; he can not be thus isolated. In spite of all disadvantages it is probably best for him that he should not be thus isolated.

"Nevertheless, the lack of isolation deprives him of much of the protection which its presence would afford. It exposes the Indian and the Indian's property to the cupidity of white men, which interference

on every hand and at every turn with the successful and efficient administration of Indian affairs.

Wealth of the Indians.

"The Indian lands which are still under varying degrees of governmental control through the Office of Indian Affairs are valued at over half a billion dollars. This property is of every sort and character. It embraces agricultural lands suitable for cultivation by ordinary methods; lands which must be cultivated by means of irrigation; lands suitable for grazing; timber lands of all sorts; oil lands, gas lands and asphalt lands; lands containing coal and other minerals, and water power sites of great potential value.

"All of the great and perplexing problems of public policy which confront the nation in the disposition and development of the public domain press for solution on the Indian Service.

"We are attempting to adjust a primitive people to the conditions of modern industrial civilization, and we are doing this with all the difficulties inherent in the problem increased a thousandfold by the cupidity and greed of those who are waiting at every turn to acquire the Indian's property and to profit in every possible way by trafficking with him.

Lack of Adequate Staff.

"Even a superficial examination of the personnel and administrative methods of the Indian Service discloses the fact that its chief defect is in the absence of an adequate staff organization at the head of the service.

"It is only necessary to point out that the Commissioner of Indian Affairs receives a salary of \$5,000, the Assistant Commissioner a salary of \$3,500, that no other of the assistants or clerks on the statutory roll of the Commissioner's office at Washington receives more than \$2,250 year, and that the supervising force thus provided at the head of the service is absolutely unable effectively to direct and check the great mass of important work which must be performed by the field force.

"Transactions involving immense sums of money, property of enormous value, and principles of far reaching consequence must be determined largely upon the recommendations of clerks who are paid from \$1,800 to \$2,250. It is surprising that the results are as good as they are upon the whole. It is not surprising that serious mistakes occur.

"What the Indian Service imperatively needs is an increase in the number of first class men in the responsible directing positions, and this can be obtained only by increasing the number and the compensation of such positions. An effective force at the head of the service might

easily permit a substantial diminution in the lower clerical positions. If it did not permit such a decrease it would be solely because an improved clerical force of the present size is imperatively required for the proper conduct of the Indian administration.

Capable Employees Quit.

"Under the present system it is most difficult to secure officials of the proper qualifications, and especially to retain in the service those who demonstrate that they possess such qualifications. Competent and ambitious men soon reach the limit of promotion and seek employment elsewhere.

"The very fact that it is so difficult to obtain or keep men of the right sort has led to methods of administration which are not calculated to promote efficiency. This is especially true of the system of administering punishment and enforcing discipline by shifting men from one position to another rather than by discharging them from the service. The plea for leniency in punishing dereliction in such cases which comes up from the service again and again is based on the difficulty of filling positions. There are approximately six thousand employees in the Indian field service, and the number of positions filled by resignations, transfers, etc., amounts to more than four thousand in a single year.

"I have heretofore urged upon Congress such changes in the annual appropriations as will enable the department to establish the policy which the considerations stated make desirable.

"If we are to have this problem wisely and efficiently handled, some important changes must be made in the methods and organization of the Indian Office.

Insist on Investigation.

"The necessity for such changes was forcibly brought to my attention a year ago, and I should then have undertaken a thorough investigation for this purpose if conditions had permitted. At that time, however, the House Committee on Expenditures in the Department of the Interior had entered upon a series of hearings or investigations of the previous administration of the Indian Office. In the hope that this investigation would lead to definite suggestions with regard to the organization and future administration of the office and that some constructive report would be made during the last year, and desiring to avoid even the appearance of seeking to interfere with that investigation or to anticipate that report, I undertook no comprehensive inquiry of my own.

"My conclusions have been drawn from participation in and observation of the routine work of the Indian Office.

"I regret that the House Committee has made no report and that its investigations have been so largely devoted to specific complaints instigated by persons who have or think they have grievances against the Indian Office or its officials. Too many of these complaints have obviously been inspired by motives of resentment or of self-interest. It is important to unearth scandals and discover serious mistakes of judgment on the part of Indian officials, if such scandals or mistakes exist, but what is really needed is a comprehensive inquiry into the methods in vogue in Indian administration.

"The principal object of Indian administration is to bring the individual Indians as rapidly as possible to a condition where they can be self-supporting and self-reliant and to distribute their property to them as rapidly as this can be brought about, protecting them meanwhile from those who would ruthlessly despoil them of their property and of their moral and physical health for the sake of the ill gotten gains to be thus derived.

"The Office of Indian Affairs can be much better organized and equipped for the accomplishment of this object."

Report of Secretary of Board of Indian Commissioners
on Trip to Fort Sill, Oklahoma,

Nov. 26-Dec. 8, 1912.

^{the}
To United States Board of Indian Commissioners.

Gentlemen:

In November 1912, by agreement between the Secretary of the Interior and the Secretary of War, it was arranged to send a committee to Fort Sill, Okla., for the purpose of ascertaining the free choice of the Apache prisoners of war as to whether they preferred to go to the Mescalero Reservation in New Mexico and to be received there on equal terms with the Apaches at Mescalero or have purchased for them allotments in Oklahoma outside of but not far from the Fort Sill Military Reserve. The committee selected consisted of Colonel H. L. Scott, representing the War Department; Mr. C. L. Ellis, Special Indian Agent, representing the Interior Department; and Acting Chairman Vaux of the Board of Indian Commissioners. Commissioner Vaux being unexpectedly detained by illness in his family directed the writer to take his place on the committee.

Starting from Washington, November 26th, Colonel Scott and I reached Fort Sill on the morning of the 29th, Mr. Ellis joining us there the following day. On November 29th, Major Goode, the officer in charge of the Apache prisoners of war, issued notice by Indian messengers to the members of the band that the heads of families and single adults would be called together at an early date to make known to the committee their choice as to place of future residence. On November 30th, an additional notice was issued fixing 9:30 A.M. on December 1st as the hour for the meeting.

At the appointed time, practically all the male adults and a considerable number of the women were present. The purpose for which the committee had come was carefully explained by its three members, after which each head of family and single adult was required to come forward, indicate his or her choice as to place of residence and verify the official roll as to the name of the members of his or her family. On the following day, December 2d., another meeting was held at which there were present most of those who had attended the former meeting and, in addition, all the remaining heads of families and single adults. A complete roll of the Indians having rights as Apache prisoners of war, including several young men absent at school and certain others in Arizona and New Mexico, was prepared and submitted with the committee's report to the Secretary of War and the

Secretary of the Interior. The roll showed the total membership of the band to be 264. Of these, 88, including seventeen heads of families and fifteen single adults, elected to remain in Oklahoma and 176, including 40 heads of families and 26 single adults, elected to go to Mescalero. There was no intimation from any of the Indians or from the representative of the Indian Rights Association, Mr. S. M. Brosius, who was present during the proceedings, that the Indians did not receive an absolutely free choice or that the committee had failed in any way to carry out the opinion expressed by the Secretary of the Interior "that their release should be characterized by giving them the fullest freedom of choice as to the place of future residence even though such freedom of choice may not in every instance appear to be for their best interest".

The report of the committee was completed late on December 3d. except for confirmation of the choice of a few members who were not at Fort Sill, which confirmation was furnished later in the form of telegrams from those Indians or their authorized representatives, I arrived in Washington on the afternoon of December 6th.

I was at Fort Sill for 4 days and was furnished every opportunity to become familiar with the conditions under which these Indians are living. I visited the mission buildings of the Reformed Church and a number of the Indians' homes, and talked individually with many of the Indians themselves. I also had abundant opportunity to observe the manner in which the War Department exercises its supervision over the Indians.

As the result of my observations, I would say that the Indians are at present receiving fair treatment; that they are quite as prosperous, as far as the material comforts of life go, as any of them can hope to be after removal, and much more comfortable than the majority of them probably will be. This, however, is beside the point, for both the War Department and the Indians desire their removal. With few exceptions, the Indians are childlike to a marked degree, even some of the educated members of the band showing a tendency to draw highly erroneous conclusions from the most simple and direct statements. Most of them, apart from their interest in the splendid herd of cattle (numbering about 6000) have some property, nearly every family having a horse and buggy or other vehicle and usually a good saddle. Many of them, however, under a former administration on the reservation, disposed of a large part of their household goods, and the furnishings in the houses of some of the older Indians are exceedingly primitive. All of them receive rations from the War Department. The Indians are required to work on the common lands and as evidence of their industry immense crops are stored or stacked in different places on the reservation. Wherever possible, it is apparently the policy of the War Department to furnish individual Indians with employment for which they can receive money. The supervision over them while theoretically strict is practically only nominal, the great size of the reservation and the absence of any patrol of its boundaries making it impossible for the War

Department to prevent the Indians from frequently leaving the reservation. The town of Lawton, five miles distant, abounds in opportunities for the Indians to part with their money or their property, and in spite of such restraint as the War Department can impose, many of the Indians are being defrauded at very frequent intervals. It is said that certain parties in Lawton are always ready to give liquor to these Indians. This unscrupulous element of the population will tend to greatly handicap the progress of those Indians who remain in Oklahoma, for the great majority of the band are addicted to the use of liquor.

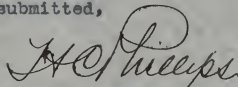
As to the uncertainty of crops, the present has been the best crop year in the history of Oklahoma, but it was preceded by three consecutive failures of crops. In a so-called dry year, it is generally conceded that a little cotton and sometimes a little kaffir corn are the only crops that will grow. The President of the First National Bank of Lawton, a man in whom some of the best people of the region appear to have confidence, stated that the present phenomenal year would barely enable the best white farmers of the vicinity to recover from the reverses of the past three years and that most of them would need to go into debt to buy seed for next year's crop. It is partly on this argument that the War Department bases its opinion that none except the sober and industrious Indians should be permitted to remain in Oklahoma, and it must be confessed that there are many indications pointing to the soundness of that view, if only the material welfare of the Indians were to be taken into consideration.

With no more thorough information than I was able to gain from conversation with various men at Fort Sill, Lawton, Oklahoma City and on trains in Oklahoma, it would appear to me that those Indians who remain in Oklahoma will be in even greater danger from the unscrupulous element of the population. These prisoners of war have long been one of the chief sources of revenue for the town of Lawton and the adjoining region. There is said to be in Lawton and vicinity a machine powerful enough to protect from anything like adequate punishment any of its members who defraud the Indians. It is said to be exceedingly difficult to induce the local authorities to prosecute such individuals or, in case of conviction, to impose more than the minimum sentence. In short, the local sentiment seems to be strongly in favor of getting everything possible from the Indians. I took occasion to talk with as many persons as possible without letting them know my errand. Some made no secret of their belief that it was entirely proper to take advantage of an Indian's lack of business ability. Others, many of them old residents, whose occupations did not bring them in direct contact with the Indians, seemed to take very little if any interest in them and to be very poorly informed as to their status or numbers. If any conclusion may be drawn from this exceedingly limited experience, it is that there is no considerable local element that is likely to insist on justice for the Indians.

It would seem to me to be exceedingly important for the future of the Fort Sill Indians who remain in Oklahoma that something be done

soon to make examples of some persons who now prey on these Indians in spite of their military protection. The people and the institutions that have been active in securing for these Indians the privilege of remaining in Oklahoma will not have completed their work until they have encouraged the proper authorities to take some steps to punish at least a few men who swindle the Indians and are doubtless looking forward to even greater opportunities in the near future.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "H. C. Phillips".

Secretary.

Washington, D.C.,
December 19, 1912.

Board of Indian Commissioners

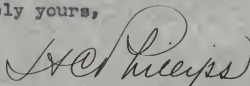
Washington, D.C.

To All Members of the Board of Indian Commissioners:

There are sent herewith the following documents:

1. Six copies of an extract from the Congressional Record containing a speech of Representative Burke, of South Dakota, and a report by Mr. M. L. Mott, Attorney for the Creek Nation, together with a letter of the Principal Chief of the Creeks, all with reference to probate matters among the Five Civilized Tribes. Particular attention is called to the report of Mr. Mott which shows a rather startling condition. Its publication is said to have greatly disturbed the Oklahoma delegation in Congress and to have moved them to demand of the Governor of Oklahoma an investigation as to the truth of Mr. Mott's charges. The copies sent can be mailed by simply addressing the franked envelopes. Others can be furnished if desired.
2. An extract from the current report of the Secretary of the Interior concerning the Five Civilized Tribes, which is interesting chiefly as recognizing and supporting the attitude of the Board of Indian Commissioners in their 43d annual report.
3. Copy of a clipping from the New York Herald quoting another portion of the report of the Secretary of the Interior in which he takes a strong position with regard to the organization of the Indian Office.

Very sincerely yours,



Secretary.

Dec. 30. 1912

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
January 2, 1913

Hon. Edward E. Ayer,
The Railway Exchange Bldg.,
Chicago, Ill.

My dear Commissioner Ayer:

Enclosed for your information is a copy of letter of this office dated October 12th relating to traveling expenses. You will find this convenient in connection with your attendance at the Board meeting this month.

Since October, the Secretary of the Interior has issued authority for the members of the Board to incur hotel expenses not exceeding \$8 per day and to travel on limited trains.

Very sincerely yours,

H. C. Phillips
Secretary.

House of Representatives,

Washington. January 2, 1913.

Warren K. Moorehead, Esq.,

Andover, Mass.

My dear Mr. Moorehead:-

Your letter of the 30th ult. reached Washington, about the same time that I did after the Christmas holidays. I was glad to hear from you, indeed, I always am. Our report has not as yet been made formally to the House and we have only had galley proof prints of it. As soon as it is printed, the requests you made will be taken care of. In the same mail I had communication from Mr. R. H. Pratt, of Philadelphia, who criticises the report rather severely, for not going far enough. He says, "The fault I would find with it is that you have drawn it too mild and your Committee has not got into the depths of his mal-administration."

There is a great demand for the report and while Mr. Pratt, maybe right, the report will nevertheless do something towards clearing up the atmosphere. Persons who are unfortunate to hold the position of Commissioner of Indian Affairs in the future will read the report and be a little more careful on account of it. With sincere regards,

Very sincerely yours,

James M. Graham

G/am

United States Senate,

COMMITTEE ON FOREIGN RELATIONS,

WASHINGTON, D. C.

January 5, 1913.

Edward E. Ayer, Esq.,
Railway Exchange Building,
Chicago, Illinois.

My dear Sir:

Your favor of the 3d instant, with reference to the appropriation for the Indian Commission, is just received and noted.

I will look the matter up, and if I can be of any service to you in the premises, I shall be glad to do so.

Very sincerely yours,

Sm Bullom

SENATE OF THE UNITED STATES
COMMITTEE ON THE CENSUS
WASHINGTON, D. C

January 7, 1912.

Mr. Edward L. Ayer,
Railway Exchange Building,
Chicago, Ill.

Dear Sir:-

By direction of Senator LaFollette permit me to acknowledge receipt of your letter of January 3, addressed to him, and in reply to assure you that what you have presented will have consideration by the Senator when the Indian Appropriation Bill is up for action in the Senate Committee on Indian Affairs and in the Senate.

Very respectfully yours,

John H. Tacey
Secretary.

H/W

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Andover, Mass., January 7, 1913.

Edward E. Ayer, Esq.,
Member of the Board of Indian Commissioners,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Mr. Ayer:

I hand you letter from Chairman Graham of the Investigating Committee which explains itself. This is why you have not received the reports. I trust they will soon be sent you. I hope to see you in Washington Tuesday afternoon the 14th of January. I shall stop at the New Willard. I shall reach Washington Monday morning the 13th in order to see Secretary Fisher and other officials before the meeting.

With best wishes,

Very cordially yours,

Wm. K. Moorhead

WKM-D

BOARD OF INDIAN COMMISSIONERS

OFFICE REPORT

December 12, 1912, to January 3, 1913, inclusive

To Members of the Board of Indian Commissioners:

Legislation

There has been little Indian legislation since the last report. The Indian Appropriation Bill has been brought up in the House and about half of it considered. Representative Burke of South Dakota, made a strong speech on Oklahoma affairs in which he incorporated a report by Mr. Mott, Attorney for the Creek Nation. Copies of the speech and Mr. Mott's report were sent with office letter of December 30th.

A few bills have been introduced, one of which (H.R.26673) introduced by Mr. Carter of Oklahoma and providing for the final disposition of the affairs of the Five Civilized Tribes, has been sent to Commissioner Vaux for his recommendations.

The Apache Prisoners of War

A report of the Secretary's trip to Fort Sill was submitted on December 19th. Since that time the Indian Office has prepared estimates for the settlement of the Fort Sill Apaches in New Mexico and Oklahoma, and the War and Interior Departments have agreed on an apportionment of approximately \$78,500 for the removal and settlement at Mescalero of 176 Indians, and \$121,500 to be applied to the purchasing of allotments and the settlement thereon of the Indians desiring to remain in Oklahoma. In addition \$100,000 will be required to complete the settlement in Oklahoma, and it is expected that the formal requisition for that amount will go to Congress within the next few days. The New Mexico Senators (Mr. Fall and Mr. Catron) have addressed to the War and Interior Departments letters of protest against allowing any of the Fort Sill Indians to go to New Mexico. The letters, especially that of Mr. Catron, are of a startling nature challenging practically everything so far on record concerning the case and declaring that the people of New Mexico will not consent to the removal there of any of the Apache band. After much consideration, it has been practically agreed to go ahead as originally planned, regardless of the statements in the letters referred to, it being thought that the pressure of the interests which now lease great areas

of grazing land on the Mescalero Reservation is responsible for the protest, although it is understood that the New Mexico Senators will fight the removal to the extent of their ability.

Traveling Expenses

Since the sending of office letter of October 12th, the Department of the Interior has issued revised regulations regarding traveling expenses, printed copies of which will be sent with this report or shortly thereafter. The new regulations are somewhat more liberal than the old, and in connection with the special authority granted members of the Board to incur expenses for board and lodging not exceeding \$8 per day and to travel on limited and extra fare trains will go a long way toward the comfort and convenience of members.

Change in Office of Secretary

On December 23d the present Secretary sent to Acting Chairman Vaux a letter formally conveying a resignation of the office of Secretary, which resignation has, of course, been informally understood by most of the members of the Board since last March. It is understood that Commissioner Vaux has sent copies of the letter to the members of the Board.

To date two applicants for the position have filed letters of application. They are Henry S. Haskins, formerly Secretary of the Indian Conference at Mohonk Lake, and now with the World Book Co. of Yonkers, N. Y., and John Herndon, a bookkeeper in the folding room of the House of Representatives. Copies of the two letters of application will be sent herewith.

Approaching Annual Meeting

Some details of the approaching meeting beginning January 15th have already been included in personal letters to each member of the Board.

Office Details

Callers at the office have been: Commissioner Ketcham, Dec. 16; Arthur C. Parker, Secretary of the Society of American Indians, Dec. 18; Col. Hugh L. Scott, U.S.A., Dec. 21 and Jan. 2; Supervisor Peterson, of the Indian Office, concerning Fort Sill matters, Dec. 21, 23, 30; Jno. Herndon, an applicant for the secretaryship of the Board, Dec. 26; Mr. Grayson, interpreter for the Creek Chief Moty Tiger, Dec. 26; S.M. Brosius, of the Indian Rights Association, Dec. 26.

Work outside the office has included calls and interviews as follows: At Indian Office on Fort Sill business, Dec. 14, 17, 27, 30, Jan. 2, Jan. 3; at Interior Department on Fort Sill business, Dec. 14; at War Department on same errand, Dec. 23; at office of S.M. Brosius, Dec. 14; with W. M. Peterson and Francis La Flesche at National Hotel regarding Osage matters, Dec. 23; at office of Society of American Indians, Dec. 30.

L. C. Philips
Secretary

BOARD OF INDIAN COMMISSIONERS

OFFICE REPORT

October 5 to December 11, 1912, inclusive.

To Members of the Board of Indian Commissioners:

Legislation

The Indian Appropriation Bill (H.R.26874) for the fiscal year beginning July 1, 1913, was reported to the House of Representatives Saturday, December 6th. It carries appropriations about \$1,000,000 less than the bill for the present fiscal year and more than \$3,000,000 less than the estimates of the Indian Office. Practically every item is as low as this year and many items are severely cut. The appropriation for health work is left at \$90,000 in place of \$250,000 requested. The amount for administration of the affairs of the Five Civilized Tribes is \$50,000 less than last year and the appropriation for special agents for the entire service is about \$30,000 less than last year, showing the disposition of the House to do away with district agents or others doing the same work in Oklahoma. The appropriation for the Board of Indian Commissioners is left at \$4000 although \$10,000 was recommended by the Interior Department. There is said to be a tacit agreement that the House will not seriously object to reasonable increase of certain items by the Senate. Copies of the bill will be sent as soon as the requisite number can be obtained.

If the Board of Indian Commissioners is to increase its efficiency it is very important that each member do everything possible to influence the Senate to amend the bill by appropriating at least \$6000 for the expenses of the Board, and, more important still, to insist on retaining at least \$5000 when the bill goes to conference.

The Apache Prisoners of War

The matter of the Fort Sill Apaches has absorbed a great deal of attention during the past two months. It will be remembered that bills introduced in Congress last winter suggested an appropriation of \$100,000 for the removal and settlement of the Indians who desired to go to Mescalero and \$150,000 for the purchase of allotments and the settlement thereon of those Indians who elected to remain in Oklahoma. Such legislation failing, an item was ~~introduced~~ included in the Indian Appropriation Bill giving \$200,000 to be used for the

removal and settlement of the Indians under rules and regulations to be prescribed by the Secretary of War and the Secretary of the Interior. These two officials sent to Fort Sill a committee consisting of Col. H. L. Scott and Lieutenant Ernest Stecker, who on October 5th submitted a plan for the expenditure of the \$200,000. Under this plan a free choice between remaining in Oklahoma and going to Mescalero was to be offered only to those adult male Indians who had a high record for sobriety and industry--14 in all. Of these, five were among those who desired to remain, making, with their families a total of 24.

The plan just named was severely criticised on the ground that it did not offer the Indians freedom of choice, and the Interior Department, at the suggestion of the Indian Office, took exception to that phase of the report. Commissioner Vaux came to Washington on October 17th and November 21st for conferences with representatives of the Indian Office the Interior Department and the War Department. An informal conference on the subject was held at Mohonk Lake, N.Y. during the Indian conference there. The Secretary of the Board was at the Indian Office on October 11, 14, 16, 19, November 1, 3, 4, 9, 11, 21, 22, 23, 25 and 26 at the request of the Acting Commissioner of Indian Affairs for the purpose of considering and helping to frame a substitute for the plan proposed by the War Department. A compromise was finally agreed upon which provided that the Indians should have a free choice as to place of residence, their choice to be determined by a committee consisting of one representative each of the Interior Department, the War Department and the Board of Indian Commissioners, the representatives selected being C. L. Ellis, Special Indian Agent, Col. H. L. Scott and Commissioner Vaux. At the last moment Commissioner Vaux being detained by illness in his family directed the Secretary of the Board to take his place. The committee as thus modified, met at Fort Sill on November 29th and finished its work on December 3d. A roll of the Indians was prepared showing that the band numbered 264 of whom 88 elected to remain in Oklahoma. A separate report on the Fort Sill trip will be submitted at an early date. It is agreed that the War and Interior Departments will unite in asking of Congress a sufficient additional appropriation to remove and settle all of the Indians on the basis of their recent choice.

Forty-third Annual Report

The forty-third annual report of the Board was printed and ready for distribution on November 13th. Copies have been sent to the members of the Board, to most of the members of Congress and to a ~~selected list of~~ number of societies interested in the Indians. Copies sent to a selected list of newspapers received considerable attention, the New York Herald giving more than seven columns to extracts from the report which was also quoted at some length by the Washington papers.

Under a law enacted last summer all public documents are distributed by the Superintendent of Documents who acts only as agent, the Board controlling the distribution of its reports as heretofore and sending mailing labels to the Superintendent of Documents.

Traveling Expenses.

The Secretary of the Interior has recently granted authority to the Board of Indian Commissioners to incur expenses for board and lodging while traveling, not to exceed \$8 per day, an increase of \$3 over the former limit. Members of the Board are also authorized to travel on limited and extra fare trains.

Changes in Membership

The resignation of Commissioner Gibbons, the death of Commissioner Smiley and the appointment of Commissioner Ketcham have all been announced in separate communications.

Board Meeting at Mohonk Lake

Copies of the minutes of the meeting of the Board, held October 23-25, at Mohonk Lake, N.Y., have ~~all~~ been mailed to the members of the Board.

The Approaching Annual Meeting

Attention is particularly called to the approaching annual meeting to be held at the Board's office in Washington, beginning January 15th. Suggestions as to topics for discussion, or subjects concerning which any member would like special data collected before the meeting, should be sent in as early as possible.

Indian Inspection Service

At the last annual meeting of the Board it was voted to secure, as a basis for possible discussion, information as to the status of the Indian inspection force. Such information is now in the Board's office with respect to the Indian inspectors operating directly under the Secretary of the Interior. The inspection force of the Indian Office has very recently been reorganized.

Commissioner of Indian Affairs

There has been no appointment to the vacancy in the above named office although the general opinion seems to be that the Acting Commissioner, Mr. Abbott, will probably be named for the place at an early date.

Publicity for Indian Affairs

The New York Herald has inaugurated a plan by which it will give extended notice to practical phases of the Indian problem. It is sending a special representative, Mr. Hamilton Peltz, on an extended tour of the Indian country. Mr. Peltz called several times at the

Board's office to secure data. He states that his paper will give special attention to the important phases of the problem, such as the need of larger appropriations for the preservation of health, the protection of property, the handling of funds, etc., to which purpose it proposes to devote one or more columns as often as reliable material can be secured.

Office Details.

Callers at the office have been: SM. Brosius, of the Indian Rights Association, October 12, December 7, 10; Commissioner Vaux and Mr. Abbott, Acting Commissioner of Indian Affairs, October 17; Commissioner Gates, October 21; Superintendent EL Chalcraft, October 21, 29; M. K. Sniffen, of the Indian Rights Association, November 8; Hamilton Peltz, of the New York Herald, November 26 and several succeeding days.

Work outside the office has included: Calls at Indian Office October 7, 11, 14, 16, 18, 21, November 1, 3, 4, 9, 11, 21, 22, 23, 25, 26, December 7; at auditor's office, Interior Department, October 14; at War Department, October 15; at U.S. Civil Service Commission, October 16; attending Board meeting at Mohonk Lake, October 22-26; at office of S. M. Brosius, November 2; absent on Fort Sill work, November 26 to December 6; at rooms of House Committee on Indian Affairs, December 7; at office of Commissioner Ketcham, December 11.

H. C. Phelps
Secretary.

DEPARTMENT OF THE INTERIOR
OFFICE OF FIRST ASSISTANT SECRETARY
WASHINGTON.

January 13, 1913.


Mr. Edward E. Ayer,
Board of Indian Commissioners,
Chicago, Illinois.

My dear Mr. Ayer:

Your letter of December 20th enclosing a copy of a letter addressed to Col. H. L. Scott by Mr. W. Brenton Greene, of Trenton, N. J., was received in due course. I have had the Commissioner of Indian Affairs submit a memorandum to me concerning the situation of the Jicarilla Apaches, a copy of which I herewith enclose. I shall take pleasure in getting any further information that you may desire, so far as it is within the power of this Department to give it to you.

Please give my regards to Mrs. Ayer and to Mrs. Johnson.

Sincerely yours,


First Assistant Secretary.

Enclosure.



Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 17th inst. in relation to the above matter.

A copy of the report of the Committee on the subject of the proposed amendment to the Constitution of the State, as passed by the Legislature at its session in 1890, is herewith transmitted to you. It will be seen that the same is in accordance with the provisions of the Constitution, and that it is in conformity with the wishes of the people of the State.

The Committee also has the honor to inform you that the same has been forwarded to the Governor for his consideration. It is the duty of the Governor to sign the same, and it is the duty of the Legislature to pass the same. It is the duty of the people to elect the Governor and the Legislature, and it is the duty of the people to support the same.

I am, Sir, very respectfully,
Your obedient servant,
J. H. [Name]

2. LEVELS

The Superintendent of the Agency reports that during the past year the Indians have worked at the making of moccasins approximately \$1000. or an average of \$100 each. A considerable portion of this money has been expended for the individual selling of retained time, and this industry has improved considerably owing to the fact that the Indians have cut out the most desirable portions of the timber and a few years ago the stoppage charges on the timber to be cut had to be made. This is not yet perfected but it is believed that it will be possible for the Indians to be put at profitable work within a very short time.

It is true that there was great mortality among the young of the tribe just after following an epidemic of measles. There was a revival of their population made of larger, a more efficient which can not be corrected except by careful education beginning over a considerable period. In this connection it should be noted that there were no deaths among the children who attended school for many years. The physician and who received the care of the government employees. Many of these who recovered from the disease, however, were left in a weak and enfeebled condition.

The conditions are now at their height, and it is expected that they will wend in the near future. A contract has been made for the sale of tribal timber on the Jicarilla Reservation and the terms call for and require the employment of Indian labor in every instance where it can be used. The preliminary work in this lumbering operation must begin within a comparatively short time before full operation within a little over two years from this date is required. This will afford opportunity to give a number of Indians at least, for unskilled labor, about as the fair comparative wages. It will, in addition, furnish a capital fund for investment in the later interests of the members of the tribe. It would, therefore, appear that within a comparatively short time the Jicarilla Indians should be well off as regards matters of subsistence.

No report has been received from the agent in charge stating that any actual starving has occurred and, while it is

44-38861

admitted, somewhat more, that these Indians are paid and that, from the very fact of a white man's conduct, he is not to be held responsible for the actions of these Indians, but from their own point of view, the need is not greater than it has been during the greater part of those times. It is, however, the intention of this office and of those who are with you, to go along the line of the Agents to make the condition as a whole and as individuals, just as much as possible.

I have telegraphed to the Superintendent of the District to ascertain if there is any action requiring among the Indians under his jurisdiction, and have received the following reply:

"Your wire, thirty. Report of Indians starting and traveling here is correct. The result is expected through lack of food for past two or three years and they need relief. I understand fifty or seventy per cent payment from Indian money. See my letter dated for twenty, October sixteenth, December, tenth."

Respectfully,

1-IX-6

Very truly yours,
J. H. H. H. H.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

1606 Morris Building, Philadelphia, Pa.

January Thirtieth
Nineteen Hundred and Thirteen

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

Dear Mr. Ayer:-

I thank you for your letter just received.

As yet I have nothing definite from Mr. Abbott. I have not felt altogether like writing to him as he understood we should expect a reply just as soon as we could get it, but I hope he will not delay very long.

Mr. Moorehead has been alarmed respecting a proposition to make a new roll of the Minnesota Indians and entered a vigorous protest. The plan had already received the approval of the Department of Justice, especially of the officers who had charge of the White Earth prosecutions who felt that such a roll would be of much advantage to them. Accordingly I did not feel as though I could put the Board officially on record acting by its Chairman as opposing this matter and on explaining the situation to Mr. Moorehead he has withdrawn his objections. I hope I have made no mistake but it seemed to me that it was not wise to make opposition which we should have difficulty in justifying when the course was approved by the law officers of the Government.

Sincerely,

GV DS

Swan Van Hook
Chairman.

Thank you for your kind personal expressions. I shall certainly want to see you should I be in Chicago when you are at home. I have not pursued prospect of going west however. May I not have the pleasure of seeing you in Philadelphia?
*Faithfully yours
Swan Van Hook*

BASIC FACTS AND NEEDS IN
INDIAN AFFAIRS.

Paper read before the Board of Indian Commis-
sioners, January 15, 1913.

by

F. H. Abbott,

Acting Commissioner of Indian Affairs.

I appreciate the honor and the privilege of the opportunity to meet with the Board of Indian Commissioners and I shall take pleasure in placing myself and anyone else in the Indian Office at your command during your official stay in Washington.

I have been asked by your Chairman, Hon. George Vaux, Jr., to lay before this Board Indian Service matters that seem to be of primary importance.

The question of the definite functions of this Board in connection with Indian Affairs, and of securing from Congress the appropriations necessary properly to perform those functions, it appears to me, is the question of foremost importance to you. It is also of the greatest importance to the present and future administration of Indian affairs, and this fact is my excuse for raising what otherwise might be considered a question for the exclusive consideration of the members of your Board. I am not going to take time here to submit elaborate argument on the question. Upon my recommendation, the Secretary of the Interior has asked Congress to increase the appropriation for your use and some of the arguments therefor from the standpoint of the Indian Service were outlined in my memorandum to the First Assistant Secretary Adams

of October 31, 1912, which accompanied the estimate, and copies of which I understand are in the hands of all members of the Board. The arguments in this memorandum, of course, are incomplete. But if this Board would be good enough to appoint a committee of members to investigate the methods and the work of the Indian Office -- and I am going to suggest that you do appoint such a committee -- I am sure such investigation would convince you, and then perhaps you could convince Congress that the Indian Service today needs the active services of an advisory board of directors, constituted exactly as this Board today is constituted, of public-spirited, non-salaried men, generally familiar with Indian Affairs, whose eminence as citizens is a guarantee against charges of partisan or interested motives, and whose term of office is not associated with presidential elections. This conclusion I have not reached hastily. It has grown upon me after a personal inspection of nearly every Indian School and Indian Reservation in the country and after thoughtful consideration of the needs and the difficulties of Indian Office administration.

I need not remind you that the Indian Service today is primarily a business affair. The problems in the field and in the Office are largely economic. What modern corporation handling nearly a billion dollars in property would conduct its affairs without a board of directors?

How much less would it change business managers with every change in party government? What legal means is there available today to secure anything like continuity of policy in Indian affairs, except through the Board of Indian Commissioners.

I do not mean to suggest that this Board should become an active executive body. I have in mind a relationship similar to that of a Board of Regents or a Board of Trustees of our great universities, to the executive heads thereof. The Board, through subcommittees could make needed investigations of special field situations and could take up thoroughly questions of legislative and administrative policy, leaving the details of administration as now, in hands of executive officers of the Indian Bureau and the Department of the Interior. Such a program as I have in mind could be carried out without great encroachment on the time of individual members of the Board.

Nor would this suggestion involve the question of making the Commissioner of Indian Affairs independent of the Secretary of the Interior. Such a course would not be desirable, and it is only necessary to state that under existing law one tenth of the cases handled in the Indian Office must have the approval of the Secretary of the Interior, to show that such a suggestion is impracticable.

I do want to say, however, that in the interest of greater efficiency, there is emphatic need for an enlargement of the scope of executive authority of the Commissioner of Indian Affairs in certain phases of administration. This need is not based on the grounds urged by some persons; namely, that the Department of the Interior is inclined to "block" action on matters presented by the Indian Office. Nor is it true that the Commissioner of Indian Affairs is so hampered now that he cannot be expected to get results. Nine tenths of the business of the Indian Office is handled solely by the Commissioner, directly, and if he does not get results, he alone is to blame. In the other tenth which goes through the Department, it is not my experience that the Commissioner is arbitrarily "blocked" in doing desirable things. The needs for increased authority for the Commissioner to which I refer, are in no sense personal, but relate to the system that has grown up from year to year, due largely to legislation and in part to regulations, and a proper remedy for which would be more welcome perhaps to the Secretary of the Interior than to the Commissioner of Indian Affairs. This whole question of the relationship of the Indian Office to the Interior Department on account of the great variety and complexity of Indian legislation involved, is one worthy of your most careful consideration. It is one also in which

you will find room for much honest difference of opinion as to the proper remedies to apply.

It is not necessary for me to say that the whole reason for making the Indian Bureau a most efficient business organization is to provide the promptest possible response to the needs of individual Indians as shown in their own requests, as well as those of field officials, with respect to their money and other property, and their personal welfare. It is of first importance, therefore, that this Board should know first hand, whether the Indian Bureau has an efficient business organization, and if not, why not, in order that it may get squarely behind the needed reforms, with all its influence.

There is special reason today why you should look into the Indian Office. The press is filled with statements, official and otherwise, about the Indian Office. I am glad the press is taking up the discussion, as it is. Naturally, there is a tendency on the part of unfriendly critics to blame Indian Office management for everything that fails to go right with the Indians, and to forget that this Office has to administer Indian affairs in accordance with Acts of Congress, many of which, though enacted with the best of purposes, have proved defective, and others enacted in the face of adverse reports from the Department.

These are some of the reasons why it is desirable for this Board to find out first hand to what extent the charges of inefficiency against this Office are correct or are responsible for the criticisms referred to.

In advance of any investigation which may be made by you, in order that my silence may not be construed as assent to some of the criticisms most commonly made, I want to say that it is not true that the Indian Office and the Indian Service today is badly disorganized; it is not true that Indian Service employees, measured by the usual standards, are inefficient; nor can I agree entirely with the opinion that the chief defect of the Indian Service consists in the lack of proper staff organization; nor that an increase in the salary of the Commissioner or Assistant Commissioner of Indian Affairs would, of itself, necessarily improve the caliber of men available for these positions. It is true that the Indian Service organization, like all organizations, is not perfect, and the responsibilities involved do warrant larger salaries for employees from the Commissioner down. However, I want to say with all the emphasis of which I am capable, that the Indian Office and Field services are composed of as efficient and enthusiastic and honest a group of men and women as can be found in any branch of the Government Service, and our organization as at present constituted is as business-

like and effective, considering the inherent difficulties, as can be expected.

The chief need of the Indian Office to make it more efficient is more help and larger salaries to meet the demands of its increasing business.

The one important fact which has not been sufficiently impressed upon Congress and upon the public in connection with Indian affairs is, that the Indian Bureau is in its youth and not in its old age; that it is a growing and not a decadent Bureau.

The policy of individualization adopted by Congress and which is being carried out in the allotment of land to individual Indians and the depositing of their funds in banks, is constantly increasing the work of this Bureau, and that work will continue to increase for many years to come. The rapidity of this increase is shown in the report of the Mails and Files Division of this Office. For the calendar year 1911, 111,755 communications were received and brief-indexed; for 1912 this number was increased to 133,725; and the average monthly outgoing mail of the Bureau is nearly 20,000 letters and telegrams. The policy of individualization chiefly responsible for this increasing business has been approved by all students of Indian affairs, and by the Congress in the General Allotment Act and in subsequent legislation carrying out that policy.

Every allotment means an additional separate case in this Office. It may involve a farming or grazing

lease, a sale, a patent in fee, a deed, an individual Indian money account in some bank, the handling of the bank's bond, as well as the necessary correspondence connected with the efforts of this Bureau to make the individual allottee self-supporting on his allotment.

To grasp fully the magnitude of the increased business which this Office is facing in the future in connection with allotment work, it must be borne in mind that of the more than one hundred thousand Indians so far allotted, a large proportion, estimated at 25%, were allotted during the last five years; between four and five thousand allotments have not yet been approved; and there remain approximately seventy-five thousand Indians who have not yet been given allotments.

And this is not all. By Act of June 25, 1910, Congress added to the work of the Office heretofore mentioned in connection with the Indian's allotment, by imposing, in addition to the handling of the property of the living allottee, the determination of the heirs to his property when he dies. There are approximately 40,000 inheritance cases ready now for determination. Owing to the complex marriage relations which exist on Indian reservations, the difficulties of these cases re-

quire the services of trained lawyers. It is evident that as time goes on this class of cases will be greatly increased.

It is, therefore, a simple mathematical proposition that the Indian Bureau must have an increased number of employees, both in the field and in the Office, to meet the increasing demands of the work imposed upon the Bureau by Acts of Congress, or leave that work undone.

The spirit in which the present overworked force of the Indian Office has been struggling to meet the increasing burden is indicated by the fact that in 1912 there were 1,658 days of overtime work performed, and more than sixty men and women connected with this Office forfeited a part of their annual leave in order to keep the work current.

Congress was asked to increase the present Office force by the addition of twenty-three clerks. The response of the House Committee on expenditures to this request was a net reduction in the present force of eight clerks, and the Senate has restored barely the present force.

Definite attention has been given during the past four months toward increasing, as far as possible, the efficiency of our overworked Office force. On September 1, 1912, there were probably more than 2000 cases in this Office which had been here without action for more than six days. Somewhat more direct methods of attack on these cases were adopted. The number of reviewing officers

were reduced and they were made producers of business.

Today there are exactly 116 six day cases in the two administrative divisions, Land and Education Divisions; requests for individual Indian money are being returned to the Indians within three days; expenditure requests from reservation superintendents in Finance Division are absolutely up to date; no pending claim for contract supplies has a date older than January 1, 1913, notwithstanding the annual rush of this class of claims has just passed the high water mark.

The total number of pieces of mail sent out during September, October, November, and December 1912, was 75,489, as compared with 62,074 pieces of mail sent out for the same months in 1911, showing an average increase in output of 21.6%.

In this connection you will be interested in some changes made in the interest of greater efficiency in the matter of field inspection and field supervision. The changes referred to, like the changes in the Office, have not been made by increasing the number of employees, but by rearrangement and systematization of their work with the view of getting definite results and eliminating all possible waste of energy. Until these changes were made, there were no supervisors whose regular duty it was to inspect all the

conditions in connection with Schools and Agencies. We had School Supervisors who inspected everything connected with schools; we had a corps of medical supervisors and officers for the suppression of the liquor traffic, and some supervisors of farming, but no supervisors who had authority to make a general inspection of affairs at any school or agency. As a result, the question of examining the books of Superintendents to determine how the accounts of individual Indians were handled; and of looking into the methods followed to induce Indians to live on their allotments; the question of giving attention to returned students, and many other matters fundamental to successful administration were not under regular supervision. In the reorganization, nine supervisors have been assigned to the same number of districts, with instructions to investigate thoroughly everything connected with the schools and agencies under their jurisdiction, while the force of special agents, in addition to doing work heretofore assigned to them of investigating special cases involving charges, will include expert accountants who will be assigned, when unsatisfactory conditions are reported, to make a careful audit of the accounts of any superintendent or disbursing officer.

In order to make effective promptly the reports of investigating officials and supervisors, all cases involving charges are being assigned to one of the most

experienced men in the Indian Office, while all reports of supervisors and special agents are handled by another of our strongest men. He has instructions to bring all important cases immediately to my personal attention, and any cases of important routine matters which can be handled by Chiefs of Divisions, to see to it by a "call-up" system that prompt action is taken. In this way important recommendations of Supervisors will be carried out and become effective in the field within a very few days after they reach the Office, while cases involving charges will be handled the moment they reach the Office. At the present time there is not a single case involving charges against an employee pending in this Office.

The most of the delays in Indian Office business, at the present time, are in connection with cases which are required, either by law or regulations, to go to the Department for approval.

Under existing law all mining leases, some farming leases of the Five Tribes, all deeds, patents in fee, rights of way for railroads, telephone lines, and public roads, bonds, allotment schedules, contracts, establishment of new positions, designation of disbursing officers, and a number of other matters are required to pass through the Department for approval. Under regulations and practice all appointments involving the designation of disbursing

officers, and a number of other matters are required to pass through the Department for approval. Under regulations and practice all appointments involving the designation of disbursing officers, the detailing of Office employees to the field, the approval of general farming and grazing leases, grazing permits, authorities for expenditure of \$500 or more, and questions involving points of law go through the Department. Under these various heads an average of nearly 1800 cases a month go to the Department, and when it is remembered that all cases involving bonds and the determination of heirs, which are constantly increasing, must go there for approval, it will be seen that this class of business will gradually increase.

The practical remedy, to meet this situation must be found, in part at least, in a readjustment of work between the two offices in order to avoid, as far as possible, the present duplication of work.

I have discussed methods of administration to the exclusion of other things, because I believe the Board of Indian Commissioners should know the basic facts and difficulties with which this Office has to deal, and because I believe a careful investigation on your part of these facts and difficulties and the action that would result therefrom, would have a vital present and future bearing on Indian policy, and would result in increasing very greatly the value

of the very important services contributed by you in connection with Indian Affairs.

There are many things I should like to take up with you: the Osage situation; the allotment policy on Bad River and Red Lake; the Fort Sill Apaches; and especially the request of the Department for a reimbursable appropriation of \$250,000, to loan allotted Indians who have no funds with which to improve their allotments or purchase live stock. I should like to tell you of one concrete case where we issued 2,000 head of cattle seven years ago, at a cost of \$58,000, and where the Indians have already sold \$150,000 worth of cattle, and have 6,000 head left. I should like also to discuss the question of the need of an increased appropriation for the purchase of supplies in the Indian Service. This is a vitally important question, which I shall take up formally through your Secretary at a very early date. The Office is now facing a deficit of about \$100,000 in this appropriation.

But I shall take up no more of your time, as you are to hear Supervisor Peterson discuss Osage and Jicarilla Apache matters, and Commissioner Wright, matters relating to the Five Tribes.

OUT GOING MAIL.

Letters.
Copied.

Letters,
not Copied.

Leases,
Contracts, etc.

Telegram.

Secretary's
Mail

Total

Per cent increase,
1912 over 1911

Commissioner

Assistant
Commis'n'r.

2d. Asst.
Comm'r.

Total.

SIGNATURES

Sept. 1911.	7126	5086	349	696	1289	14794		1243	4270	5095	10608	
Oct. 1911,	6272	4787	738	728	1748	16225		91	1606	9867	11624	
Nov. 1911,	7066	6338	423	703	2073	16196		284	6143	6770	13172	
Dec. 1911,	7677	4334	574	632	1644	14861		156	5483	6395	12037	
Total, = =	30424	20039	2054	2789	6754	62074	= =	774	17579	28127	47441	=
Sept. 1912,	7261	5248	611	1047	2091	16335	9.7	68	3244	9044	12353	
Oct. 1912,	8977	7944	969	811	2304	21006	29.4		5125	12961	16066	
Nov. 1912,	8121	7779	954	901	1778	19535	20.7		9005	4047	13052	
Dec. 1912	7837	7546	798	719	1643	16718	25.9	-	2854	7966	10840	-
Total, = =	32166	30611	3332	3479	7981	76489	21.6	65	16228	34028	52331	=

Copy.

REGULATIONS GOVERNING SUPERVISING
AND INVESTIGATING OFFICIALS OF THE INDIAN OFFICE.

Organization.

The field supervising and investigating service of the Office of Indian Affairs consists of supervisors and special Indian Agents.

The duties of supervisors, unless otherwise specially ordered by the Commissioner of Indian Affairs, shall be the supervision of Indian schools, reservations, and allotted areas, advising with superintendents in regard thereto, and reporting for investigation or consideration such matters coming to their knowledge as may require investigation or administrative action.

The duties of special Indian agents are the investigation of matters specifically intrusted to them for investigation and report to the Commissioner of Indian Affairs, and reporting for investigation or consideration such other matters coming to their knowledge as proper administration required should be brought to his attention.

Travel.

No supervising or investigating official shall incur any expense for railroad travel not previously

authorized, unless it is necessary within the scope of his assigned duties.

Supervising and investigating officials will report by wire to the Commissioner of Indian Affairs their arrival and departure from one point to another, except where to do so will prejudice interests intrusted to them, in which event they will report their movements promptly by mail.

Reports.

Reports of supervising and investigating officials will be made in sections, according to the subjects. The sections of the report must be numbered consecutively with the number, subject and date entered on the first sheet, and each section must be signed. The original and one carbon copy shall be transmitted to the Commissioner of Indian Affairs with a letter of transmittal enumerating the sections. Carbon copies of the section shall be mailed to the supervisor in charge of the particular branch of the work to which it relates, as indicated in the appendix. Reports of investigating officials shall be confined to statements of fact so far as they can be ascertained, and they

must be carefully verified. No recommendation should be made, or conclusion drawn, unless supported by the facts stated.

Supervision and Inspection.

It is impracticable to specify the numerous and various matters that are proper subjects for supervision and inspection. Supervision should be constructive in character, with a view to promoting the welfare of the Indians, elevating the tone of the schools, improving the methods of instruction and administration, and increasing the efficiency of the superintendents and employees. Supervising officials will make suggestions to superintendents as to better methods, and careful consideration should be given their recommendations as to what enterprises or undertakings should receive greater or lesser attention, and in which instances the established policies of the Indian Office could or should be more closely adhered to.

The general administration of each jurisdiction should be carefully observed, particularly as to whether the superintendents give due attention to the various activities under their control, whether they

give too much time and attention to office routine or business details, or manifest undue interest in one thing to the detriment of others. Also as to whether the details of school management, office work, and industrial activities of the Indians are directed personally by the superintendent or by him through heads of departments acting under his general direction. They should further observe whether the administrative control over the Indians and over the reservations and allotted areas is adequate and satisfactory.

In the matter of employees, there should be very careful inquiry on the part of the supervisors, to the end that the Commissioner may be informed as to the sufficiency or insufficiency of the force for the work required, whether the force is properly organized, and whether the salaries are commensurate with the duties, and, in the case of Indian employees, whether the salaries are the same, for like work and efficiency, as are paid to white employees. Supervisors will investigate and report especially as to whether there are more employees than necessary, and make definite recommendations where economy can be effected and better administration secured by abolishing unnecessary positions

and increasing the salaries of others. Efficiency reports, on the regular blanks, should be made on all employees with whom the supervisor becomes sufficiently acquainted to be able to form an opinion as to their capabilities, or whose work he observes closely enough to judge of their efficiency.

Very careful attention should be given to the use made by the Indians of their capital, whether it be lands, live stock, or individual Indian money, and supervisors will ascertain to what extent the superintendents are assisting the Indians to make the best possible use of their resources.

The supervisors will submit reports as directed above in all matters calling for administrative action by the Indian Office, in matters of general administration, in all instances of conspicuous merit on the part of superintendents or employees, and in such other instances as their judgment may dictate; but reports in detail will not be made relative to ordinary affairs, routine work, or where mutual understandings between supervisors and superintendents are effected relative to improved methods, or new or modified plans

for which the Superintendent is willing and has ample authority ~~ex~~ officio to assume responsibility.

Recommendations as to the need for or expenditure of funds, or report on matters requiring administrative action, should be accompanied wherever practicable by the recommendation of the superintendent. Recommendations for the expenditure of funds should set forth clearly whether needed for the current fiscal year or to be considered in connection with future appropriations. If for the current year, care should be taken to keep within the apportionment or known available funds, except in case of unusual need, which should be clearly stated.

The supervising officials will exercise general supervision as heretofore set forth, over all matters pertaining to schools, industries, lands, allotment, irrigation, forestry, construction, health, employment of Indians, violation of the liquor laws, disbursing of funds, preservation of records, and care of public property.

For the purpose of outlining and suggesting the proper scope of the supervision to be exercised and to harmonize and systematize the reports of supervisors and special agents an elaboration of the duties referred to in the foregoing paragraph is appended. But detailed

reports to conform to the outline appended are neither expected nor desired, nor will supervisors confine themselves to the enumerated subjects where matters arise that in their judgment require attention and report.

Supervisors should endeavor to impress upon superintendents the fact that the latter are to be held responsible by the Indian Office for every activity relating to Indians within their respective jurisdictions, including proper sanitation of Indian houses, suppression of the liquor traffic, employment of returned students, and that the function of special supervisors is not to relieve them of any responsibility, but to advise and assist them in the direction of greater efficiency.

F. H. Abbott

Acting Commissioner.

Approved. Jan. 3, 1913.

Samuel Adams

First Assistant Secretary.

APPENDIX

The following outline indicates some of the things that should be observed by supervising officials. The results of such observations should be made the basis of suggestions to the superintendents of plans, methods, and means for the improvement of the service, and should also be the basis of such reports and recommendations to the Commissioner of Indian Affairs as may be desirable:

----- S C H O O L S.

Plant. Buildings: See Construction.

School Farm and Stock: Equipment of farm, garden and dairy. Adequacy of machinery and implements and their condition and upkeep. Does live stock check with property return? Is dairy herd being examined for diseases as frequently as safety requires? Condition of farm; is it being so handled as to give the maximum of instruction to the pupils and at the same time provide as much as possible for maintenance? Are pupils being instructed properly in farming, stock raising, dairying, and all other lines of farm activity?

Academic
Training.

Organization. Preparation of yearly calendar. Daily program, preparation and following of Daily sessions, length of. Actual time devoted to study and recitations. Study hours. Grading of pupils. Methods of promotion. Methods of instruction. Visual instruction. Correlation

with industrial departments and life activities. Instruction in the use of English. Examinations and reviews. Number of grades maintained. Weekly outlines of instruction, preparation of, character of. Educational publications, use of. Is there reason to make course conform more nearly to state course of study?

Equipment. Books, supply and condition. Book covers, use of. Blackboards, globes, maps, thermometers, school furniture, school library, papers and magazines. Stereopticons. Kindergarten materials, supply and use of. Busy work. Condition of class rooms, general appearance. Cleanliness of walls, floor and ceiling. Decorations of walls. Condition of supplies and equipment. Ventilation. Temperature. Heating. Lighting. Seating arrangements.

Student Body. Enrollment Number of pupils, boys, girls. Regularity of attendance. Transfer of pupils. Examination of reports of superintendents as to pupils eligible for transfer to non-reservation schools. Discipline. Pupils' associations, organization of. Pupils' correspondence, supervision of. Defective pupils. Incurable pupils. Pupils' records, method of keeping while in school and after leaving school. School census, accuracy of preparation of.

Returned Students. Reports as to their progress after leaving school. Outing system, organization of. Number of pupils receiving instruction under outing system. Earnings of outing pupils. Pupils' funds, handling of. General results of the outing system.

Public Schools. Enrollment of Indian children. Attitude of local community toward enrollment of Indian children. Enrollment of white chil-

dren in Indian schools. Payment of tuition. Contracts. Inspection of public schools, frequency of. Progress of pupils. Number of public schools available to Indian children. Growth and development of public school system in so far as it affects the education of Indian children. State compulsory attendance laws and other laws affecting the enrollment and attendance of Indian children in public schools. Mission schools - contract, non-contract. Private schools - contract, non-contract. Capacity of schools. Is it sufficient to accommodate scholastic population?

**Industrial
Instruction.**

Equipment for. New equipment needed in various departments of school. Methods of industrial instruction. Are they applicable to needs of pupils? Amount and extent of industrial instruction as follows: Names of industries taught. Number of boys receiving instruction. Number of girls receiving instruction. Time each week given to instruction. Time each week given to production and routine work. Agriculture, theoretical and practical. Use of agricultural bulletins. Organic connection between academic and industrial departments. Correlation of work. Occupations most likely to be followed by pupils when they leave school and upon which emphasis should be placed.

Health.

See suggestions under Health section.

**Religious and
Moral Training.**

Observance of regulations as to religious worship. Means provided for the culture and refinement of pupils, libraries, music, vocal and instrumental, school bands, choruses, orchestras, etc. Religious organizations among pupils, Sunday Schools. Accessibility of churches. Temperance instruction. Instruction in matters of sex for older pupils. Moral conditions existing in vicinity of school. General moral tone of school.

Employees. Individuals. Reports on efficiency of employees for status file on blank form adopted. Promotion of employees. Demotion. Transfer of employees.

Collective. Quarters for employees, Social conditions among. Grading and promotion of teachers. Reading courses for. Professional and general reading of employees. Division of labor among employees. Employees' meetings. Organizations among. Co-operation. Number and names of positions vacant. New positions required. Abolishment of positions. Means for social entertainment and diversion of employees. Employment of Indians as employees at schools and agencies. (Circular 673) Esprit de corps among employees.

INDUSTRIES.

Industries. General: What are now and will in the future be the paramount sources of income and maintenance of the Indians, - agriculture, live stock, employment, rations, or cash payments, and their relative importance? Is the jurisdiction properly laid off in districts for farmers and stockmen? Are the farmers and stockmen provided with adequate quarters and means of travel? Do they reside in their districts? How is their time mainly occupied? Are they giving the Indians adequate instruction and assistance?

Agriculture. Character of soil and crops to which it is best suited. If an irrigation system is in operation, is it being properly used and cared for? If an irrigation system is being constructed, are adequate arrangements being made to utilize it when completed? The class of crops now being grown, and what would be most profitable for the Indians to grow? If the full use is not being made by the Indians of their lands, what should be done to bring about full use? Are the Indians adequately supplied with teams, implements, seeds, etc.? Are the Indians getting proper value for

surplus products marketed, and are they selling their agricultural products in such way as to endanger their future support? Is the soil being injured or is undue erosion resulting from the manner of cultivation; are noxious weeds endangering proper agricultural success?

Live Stock.

The kind and approximate number of live stock grown by the Indians. Are the kinds best suited to their needs? Do they have a sufficient number of work horses, and if not, have plans been made looking to an adequate future supply? The grades of live stock, and if of low grade is upbreeding being done? Is the number of live stock kept for Government service adequate and of the proper class? Disease among live stock. Are the Indians selling off their live stock in such way as to endanger their future supply?

Home Building

The general character of home and farm buildings now used by the Indian. Do they need better and more houses, barns, etc., and have they means or material at hand for the construction of such? Are their homes or farms enclosed with proper fences? If not, have they means or material to provide such? The source of water supply for domestic use, and what may be needed to increase or improve it. Are the Indians being properly aided and encouraged in providing themselves with better and more permanent homes?

Sanitation of Indian homes.

See "Health."

Care of Needy.

If rations are being issued, to about what percentage of the tribe, and can such rations be reduced now or in the future? If no ration system is maintained, are there proper facilities for the care of the old, the sick or the dependent available?

- Individual Indian Moneys. The uses to which these moneys are mainly put. Are they being used for the betterment of the Indians or for immediate need or maintenance? The manner in which requests for the use of these moneys are made by the Indians, received by the superintendent and employees, and the supervision exercised over the matter of purchases made by the Indians therefrom. Is there a well-defined plan in operation looking to the use of these moneys for the purpose of home-building, farming development and providing for the industrial needs of the Indian? Are the Indians incurring indebtedness in anticipation of these moneys? Are superintendents taking initiative in encouraging Indians to proper investment of surplus funds?
- Tribal Moneys. The approximate amount and classes of tribal moneys held in trust by the Government. How these moneys are now being used and in what manner would they contribute most largely to the future welfare of the Indians?
- Trade. Are the licensed traders observing the regulations of the Government? The aggregate amount of indebtedness by Indians to the traders and the maximum individual accounts found on traders' books. Do the traders maintain a system of book-keeping that will admit of rendering itemized bills? Do the Indians trade mainly with licensed traders or can they reach trade centers beyond the reservation boundaries? Are the Indians being encouraged to expend undue sums of money for gewgaws or articles of distinct Indian character which they do not need? Are the Indians permitted or encouraged to form the "debt habit," and thereby anticipate their income, inheritances or resources?

LANDS.

- Patents in Fee. Are the regulations fully and conscientiously complied with? Does the Superintendent person-

ally review the applications, or is his action based on examinations conducted by employees or persons without the Service? What use or disposition is made of patented lands? About what per cent, if any, of the patentees and their families are rendered destitute through the sale of patented lands and the disposal of the proceeds? The approximate number, if any, of the competent allottees who are worthy of patents in fee but who decline to ask for them.

Land Sales. About what percentage of allotted lands have been sold? Is there adequate competition between bidders for these lands? Are these lands so advertised that the sales attract attention of the public? What system of appraisal is maintained and is it satisfactory? Are status file reports being compiled in connection with sales of lands, patents in fee, and leases of allotments?

Leases of allotments. About what percentage of allotted lands are leased by whites? Is this leasing mainly for the purpose of revenue or for the development of the lands leased? If improvement leases are being made, what supervision is exercised to insure compliance therewith? Do the Indians negotiate their own leases? Does the leasing system operate to relieve able-bodied Indians from farming for the support of themselves and family? Are the lands leased for an adequate rental? Are the lands being impaired by careless or improper farming? Should the lease moneys in whole or in part be paid direct to the Indians when collected or deposited and handled as individual Indian moneys in bank?

Leasing of Tribal lands. If tribal lands are leased to whites for grazing purposes, do these leases interfere with the agricultural pursuits of the Indians? Do such leases interfere with the live stock interests of the Indians? To what use are the

moneys accruing from these leases now being put, and in what manner would their uses contribute most to the future welfare of the tribes?

FORESTRY.

- Force and Equipment. Is the force adequate and efficient? Is the equipment sufficient and is it so disposed about the reservation as to be quickly available in case of fire? What are the danger points as to forest fires?
- Roads, trails and telephones. Are the roads, trails and telephone lines sufficient for the protection and best use of the forest, and are they kept in repair?
- Cabins and Corrals. Are the cabins sufficient in number and satisfactory as to construction, and are they properly placed? Are corrals and pastures provided for stock used by forest officers?
- Timber Sales. 1. General condition of timber sale work.
2. Violation of agreements by timber contractors.
3. Commission of waste by Indians and others.
4. Should more sales of timber be made? State reasons.
- Sawmills. 1. Value and efficiency of the sawmills.
2. Is lumber properly piled in the yard?
3. Precautions taken to guard against fire.
4. Demand for lumber by the Indians and agency.
5. Desirability of establishing new sawmills.

CONSTRUCTION.

- Buildings. Adaptability to needs. Condition of each. Repairs and improvements needed. Permanent improvements contemplated. Heating. Ventilation. Sewerage and water supply. Fire protection. Fire fighting apparatus. Fire lanterns, fire escapes. Fire drills of pupils.

HEALTH.

School. Physical Examination of Pupils: On entrance to school. Frequency of during school year. In the field before starting the non-reservation schools. Before cutting.

Sanitary Care of Pupils while in School: Rations. Bills of fare. Preparation and serving of rations. Are rations sufficient in quantity? Of good quality? Is there sufficient variety? Care of foods, Refrigerators, ice boxes, cellars, etc. Diet for weak pupils. Is there a special diet provided? Diet provided? Diet tables. Drinking water. Purity of water. Drinking fountains.

Clothing - Suitability to Climate: Supply of clothing. Condition. Methods of washing and disinfection.

Observance of Sanitary and Health Regulations: Bathing, how frequent; facilities for. Condition of lavatories, closets and urinals, disinfection of. Weighing of pupils, regularity and record of. Segregation of tubercular and trachomatous pupils from well children. Open-air sleeping. Open-air classes, adaptability of climate for. Sleeping porches. Cleanliness of objects handled in common. Adoption of Pullman towel system, possibility of. Individual lockers. Toilet articles, combs, brushes, tooth-brushes, tooth powder, supply and method of caring for. Conditions of teeth of pupils, care of teeth. Employment of dentists. Dormitories, capacity, cubic air space. Electric alarm systems, installation of, in dormitories. Overcrowding, Single beds, beds and bedding, condition and sufficiency of. Airing and sunning, frequency of. Methods of sweeping compounds. Disposal of sewerage, system of garbage disposal, garbage cans. Management of dairy. Care of yards and grounds from sanitary standpoint. Prevention of flies and mosquitoes,

Observance of Sanitary and Health Regulations:

Bathing, how frequent; facilities for. Condition of lavatories, closets and urinals; disinfection of. Weighing of pupils, regularity and record of. Segregation of tubercular and trachomatous pupils from well children. Open-air sleeping. Open-air classes, adaptability of climate for. Sleeping porches. Cleanliness of objects handled in common. Adoption of Pullman towel system, possibility of. Individual lockers. Toilet articles, combs, brushes, tooth brushes, tooth powder, supply and method of caring for. Conditions of teeth of pupils, care of teeth. Employment of dentists. Dormitories, capacity, cubic air space. Electric alarm systems, installation of, in dormitories. Overcrowding. Single beds, beds and bedding, condition and sufficiency of. Airing and sunning, frequency of. Methods of sweeping and dusting. Oiling of floors. Painting of walls and ceilings, use of sweeping compounds. Disposal of sewerage, system of garbage disposal, garbage cans. Management of Dairy. Care of yards and grounds from sanitary standpoint. Prevention of flies and mosquitoes, destruction of breeding places, fly-tight manure pits, removal of manure. Screening of buildings. Methods employed in destroying flies and mosquitoes.

Methods of Physical Training: Calisthenics, breathing exercises, etc., in class rooms, Provisions for physical instruction in the daily program. Time allowed for physical training in the class rooms. Marching. Games and plays. play-ground equipment, character of. Athletic equipment and supplies, sufficiency of. Outdoor games. Settingup exercises. Military training. General athletics. Gymnasium, equipment of. Time devoted to out-door relaxation each day. Supervision of physical training.

Instruction in Hygiene and Sanitation: Extent of, methods employed, class-room instruction in. Lectures on trachoma and tuberculosis, Use of the stereopticon.

Treatment of Diseases: General health of pupils. State of nutrition. Diseases or special symptoms observed. Epidemic or contagious diseases? Hospitals, need of, equipment of. Nurses. Physicians. Medicines and surgical supplies, quantity and quality. Quarantine measures, effectiveness of. Segregation of tubercular and weak children from healthy pupils. Fumigation and sterilization of infected objects. Personal attention of physician to health of pupils. Contract of physician. Efficiency of physicians. Preventive medicine.

Reservations. Sanitary conditions of Agency buildings and grounds. Sanitary conditions of Indian homes and premises. including ventilation, overcrowding, lighting, cleanliness, food and clothing; disposal of excreta, care of the sick and prevention of the spread of disease, and spitting.

General health of Indians: Physical conditions: State of nutrition; prevalence of tuberculosis, trachoma, venereal and other communicable diseases; infant mortality; use of alcohol, mescal or other deleterious substances; habits and customs prejudicial to health.

Food and water supply: sources, quantity and protection from contamination.

Efficiency of physicians, nurses and field matrons: inspection of sanitary conditions, prevention of disease and enforcement of health regulations.

EMPLOYMENT FOR INDIANS.

In the Indian Service. The extent to which Indians are employed in accordance with the requirements of law and

the established policy of the Service in all positions which they are competent to fill. Are competent Indians being encouraged and assisted to qualify, through Civil Service examinations, for appointment to positions in the service? Are Indian employees being assisted and encouraged in meeting the requirements of their positions?

The law is ".....That in the Indian Service, Indians shall be employed as herders, teamsters, and laborers, and where practicable, in all other employments in connection with the agency and the Indian Service. And it shall be the duty of the Secretary of the Interior and the Commissioner of Indian Affairs to enforce this provision" Section 10, Act of 1894; also, "and preference shall at all times, as far as practicable, be given to the Indians in the employment of clerical, mechanical, and other help on reservations and about agencies".---Sec. 6, 32 Stats. L., 451.

Outside the Service.

Are the Indians, educated or uneducated, being assisted in every practicable way to obtain employment along such lines as they are qualified to follow? Are Indians taking employment with exhibitions and shows; and if so, what is the moral effect upon those so employed and upon the other Indians of the reservation? Are they being discouraged from such employment?

Returned students.

Are the superintendents keeping in close touch with returned students, assisting them in every possible way to make use of their school training and advising them as to the use of their material resources? Number of returned students supporting themselves, either on or off the reservation, and in what manner. Are pupils records being properly kept, in order that superintendents may have information as to the ability and character of returned students?

SALE OF LIQUOR TO INDIANS.

Are there saloons on the reservation or in the neighborhood of the residence of the Indians? Do they sell liquor to Indians directly or by subterfuge? Is liquor being introduced upon the reservation; if so, is it by whites or by Indians? Are all necessary and proper steps being taken by the superintendent and other employees to deal with the evil and to create the proper public sentiment among Indians against the use of intoxicants? Does the superintendent need the assistance of special liquor officers?

OFFICE WORK.

Clerical
force.

Is it adequate and properly organized? Is the work being done by up to date methods?

Keeping of
accounts.

Do present practices offer proper assurance of integrity in disbursing of funds and caring for public property?

Records.

Are all required records being properly kept? especially those relating to individual Indian moneys?

Extract from Report of the Secretary of the Interior,

1912, Under the Heading "Five Civilized Tribes--

Individual Affairs".

The work of the Union Agency, including the field force attached thereto, is almost entirely among the individual Indians. This individual work has no bearing one way or the other upon the closing or prolonging of tribal affairs.

The territory of the Five Civilized Tribes embraces the eastern half of the State of Oklahoma, originally Indian Territory, and includes 40 countries.

The greater portion--approximately 16,000,000 acres--of the land in this area was allotted to the 101,239 enrolled members of the Five Tribes. The allottees reside in every section of this area, so that each country has its share of Indian population. In order economically and satisfactorily to conduct the business coming before the Department, a field force has been distributed at convenient points, thus enabling the Indians and the public having dealings with them to transact their business before a local officer, and the Department to secure first-hand information from men familiar with local conditions. With the large territory to be covered and the scattered Indian population, if all of the information with respect to the thousands of complicated lease and land matters acted upon each year were secured by sending men from the Union Agency office at Muskogee, the work would not only stagnate but the expense would be almost prohibitive.

or

It has become the custom to compare all the Indians of the Five Tribes with the highly educated business or professional man who is Indian only in name. Except that he wears white men's clothes and lives in a log or frame house instead of in a tepee, there is little difference between many full bloods of the Five Tribes and the full bloods of the western reservations. Thousands of them live in a rough, mountainous country, many miles from a railroad, and have no knowledge whatever of business transactions. They need not only every reasonable protection in their property rights but advancement along industrial and general educational lines and a more healthful mode of living. Some of the full-blood Indians in the Five Tribes have absolutely refused to recognize present conditions of abolishment of the old communal tribal property and the substitution of individual property thereof. There are, for instance, nearly 2,000 Cherokees alone who have refused to accept their allotment deeds or take possession of their land, but have withdrawn themselves as far as possible from the well-settled portions of Oklahoma, and are living in the rougher parts of the country as nearly as they find it possible in the manner that their ancestors lived.

Many of these Indians will not send their children to school. As the citizenship rolls of the tribe have been closed and no children born subsequent to March 4, 1906, are recognized as members of any tribe or entitled, except as they may inherit property, to any lands or money, there is growing up a class of full-blood Indians who are likely to become illiterate charges on the community unless adequate provision is made for them.

It is estimated that the value of real estate belonging to minor Indians in the Five Civilized Tribes will exceed \$150,000,000. Part of this is inherited land, but a large part of it comes from the fact that minors were allotted equally with adults when the allotments were originally made and that most of those minors are not yet of age. This vast amount of property occasions naturally a very large amount of guardianship business which is handled by the probate judges in Oklahoma. There is one judge to each county, and he has certain ordinary civil and criminal jurisdiction so that all his time can not be given to probate work. In consequence the field force of the Union Agency has accomplished a great deal in looking after the interests of the minors. A great majority of the probate judges have commenced this work and asked for the continued assistance and cooperation of this force.

The Union Agency has handled up to the close of the past fiscal year many thousands of oil and gas leases on account of individual members of the Five Civilized Tribes, mostly Creek and Cherokee. On June 30, 1912, there were carried on the books very nearly 9,000 accounts of individual Indians with balances aggregating \$1,135,033.24. This money was deposited in banks and was earning interest during the period before its use by or for the benefit of the Indians. Including amounts received from the Treasury for transfer to individual accounts or disbursement, the Union Agency handled \$10,701,624.27 during the fiscal year 1912.

Recent decisions of the United States Supreme Court involving conveyances of Indian lands have paved the way for the disposition of a large number of the more than 20,000 suits to set aside illegal conveyances. Some 6,284 of these suits have been dismissed or adjusted. Many others could without doubt be settled if the necessary legislation were enacted to permit adjustment along lines that would do substantial justice to the Indians, which would go a long way toward the straightening out of title conditions in eastern Oklahoma. The Department has made reports to Congress upon different bills seeking to accomplish this end and pointed out the way that it believes these results may be secured and the desirability for such action.

COMMISSIONERS OF THE LAND OFFICE
State of Oklahoma
Oklahoma, Okla.

January 16, 1912.

Father William H. Ketcham,
1326 New York Avenue,
Washington, D.C.

Rev. Sir:

When you were in my office during the holidays and spoke of furnishing the members of your Board with a copy of my Little Rock speech on Indian titles, I overlooked the fact that the Oklahoma official Red Book which was then being printed had a copy of this address in it. I am therefore mailing you to-day ten copies of volume 2 of the Red Book, on page 51 of which you will find my address. I would greatly appreciate it if you would put them into the hands of the Board members as I very much desire the well wishes of this Board in my application for Assistant Attorney General for the Interior Department.

Volume 1 of this Red Book is a compilation of all the Constitutions and Treaties and Acts of Congress affecting the Five Civilized Tribes, together with a great many pictures of the early tribal legislatures and courts. If any of the members of your Board would desire this volume I will be glad to secure the same and furnish them, as I feel that the information therein contained would be of considerable interest to your Board.

Very respectfully,

(Signed) Kirby Fitzpatrick.

BOARD OF INDIAN COMMISSIONERS

Washington, D. C.

January 18, 1913.

To Members of the Board of Indian Commissioners:

Enclosed (unless already distributed at the recent Board meeting) are documents as follows:

1. Printed regulations for travel expenses effective January 1st, 1913. These apply in every respect to travel by members of the Board except that in accordance with a recent letter of the Secretary of the Interior, members may incur up to \$8 per day for board and lodging and may travel on limited and extra fare trains.
2. A paper read to the Board, January 15, by F. H. Abbott, Acting Commissioner of Indian Affairs, with enclosures showing the volume of Indian Office mail and the new regulations governing inspection. In accordance with Mr. Abbott's request that a committee of the Board investigate the work and methods of the Indian Office, a committee, consisting of Commissioners Eliot, Ayer and Ketcham, was named for the purpose.
3. Copy of justification for increase in estimate for purchase and transportation of Indian supplies. These copies were received this morning from the Acting Commissioner of Indian Affairs who in his letter says, "I believe the need of this increased appropriation * * * will be apparent to the Board from a reading of this memorandum, and it is hoped that they will be able to influence appropriate legislation on this item".
4. (Under separate cover) 50 envelopes, report size, Recent legislation which provides that all public documents are distributed through the Superintendent of Documents, leaves a considerable supply of these envelopes which had been intended to carry this year's report. They are accordingly sent with the thought that they may be of some use to the individual members. If any member lacks other sizes of envelopes or paper for Board use they can be promptly furnished on application.

H. C. Shears
Secretary.

Justification for Increase in Out-
lays for Purchase and Trans-
portation of Indian
Supplies.

Since to the fiscal year 1911, there was annually appropriated for several years by Congress for the purchase and transportation of Indian supplies the sum of \$112,000, of which \$12,000 was used annually for telegraphing and telephoning, leaving the net amount available for other purposes \$100,000. In addition to this amount there was annually appropriated a deficiency item, which for the fiscal years 1906 to 1910, inclusive, proved as follows:

1906,	\$2,500.00
1907,	14,400.00
1908,	28,000.00
1909,	17,250.00
1910,	27,750.00

It will be seen from this statement that there was required annually approximately \$130,000 for purchase and transportation of Indian supplies, or, if we include telegraphing and telephoning, approximately \$142,000 per annum.

For the fiscal year 1911, \$485,000 was asked for and appropriated, and this amount was expended to the extent of \$42,884, making a total of \$527,884 used during the year. The sum of \$485,000 was asked for and appropriated for the fiscal year 1910, which amount has been exceeded. In both of these years the estimate of this Office was reduced from \$415,000 to \$395,000 simply because the total amount of the estimate had to be reduced and not because the need for the entire amount was less than in previous years.

Each year the appropriation for the purchase and transportation of Indian supplies has been more heavily drawn on as a result of the policy inaugurated within the last few years of requiring more extensive advertising for supplies and widening the scope of purchasing. There is previous years what are formerly known as "open market purchases" - that is purchases not included in the regular estimate for supplies submitted annually by each Superintendent in the field - were bought, delivered at the school or

agency, each year the Indian warehouses have been called upon to a greater extent to purchase and ship that class of goods and supplies, because the quotations received through the warehouses were more favorable in price, freight at Government rates included, than were the prices laid down.

There is no question but that this method of purchasing is of advantage to the Government on account of the saving effected; but it so happens that the freight charges on the goods purchased away from the agency and school and shipped on Government Rail are paid from the appropriation for the purchase and transportation of supplies, and only the original cost charged to the support fund of the school or agency. Where the supplies are purchased from the vendor, laid down at the school or agency, the entire cost is charged to the support fund of that particular school or agency.

It is likewise true that this method of purchasing has increased the work of the five warehouses, thereby requiring larger clerical forces and increasing the expenditures from the fund now being discussed. Likewise, it is true that purchasing at distant points

required for the larger increases the presence of inspectors at these points and the expenses incident to these inspections, including the salary of the inspector, are paid from this fund. It is also true that wagon transportation from the nearest railroad point of delivery to the school or agency, except in the Sioux country, is paid from this fund, and expenses along this line have become greater, due to our shipping the goods in and having to haul them, whereas, where the commodities delivered at the school or agency, the hauling was done by him or at his expense. This item is taken into consideration, however, in figuring the price at distant points against the local delivery. As stated before, while this method results in an actual saving of considerable money to the Government, the saving is made at the expense of the transportation fund. The following is given as an illustration of work on this plan:

One thousand tons of soft coal, purchased for Flambeau School, together with coal for other schools and agencies, for delivery at Duluth, Minnesota.

Price of coal at Duluth, \$7.55 per ton,	24,000.00
Freight at tariff rate, Duluth to Flambeau, North Dakota,	2,550.00
Duluth contractor's price, plus freight at tariff rate to Flambeau,	6,000.00
Net load payment deducted from above tariff rates,	1,640.00
Actual cost to Government delivered at Flambeau,	8,910.00
Lowest bidder (local) at Flambeau,	8,650.00

On this particular transaction it will be seen that, had the lowest bid at destination been accepted, the coal would have cost the Government \$8,650.00; all of which would have been paid from the support fund of the Flambeau school, but it was found that by using the quotation at Duluth the coal could be purchased at \$150.00 less shipped at tariff rates from Duluth to Flambeau. For this reason, which was this bidder was permitted to deliver the coal at Flambeau, would have cost the Government. It is to be noted, however, that the Government had previously a law grant deduction over this particular route equal to 10% on this consignment, making the actual amount of freight paid by the Government \$54, which, added to the cost at Duluth, makes the purchase price of

the coal delivered at Flinders 18954. Taking the lowest price at Flinders, \$3600, and comparing it with the price actually paid, it will be noted that the Government saved \$1646, an actual bona fide saving. In making this saving, however, it will be seen that the Flinders appropriation is charged only with \$1354.00 the cost price at Buluth, the \$500 being paid from the transportation fund. In other words, to make a saving to the Government of \$1646, it was necessary to use a part of the transportation fund, and the saving is not only made to the Government but likewise to the support fund of the school, which conserves by the transaction a \$2500 for expenditure for other purposes.

This is not an isolated case but one of many which could be cited to show the way the plan works.

This plan cannot be carried out with an appropriation of \$2000,000. More money is required in the transportation fund, and failure to get the increased appropriation will mean that the Office must return to the old plan of buying supplies de-

delivered at the school or agency, for release of any quotation that might be received specifying delivery at some distant point. While this latter plan will conserve the appropriation for the transportation of supplies, it will diminish the use to which the support funds of the schools and agencies may be put, and also will cost the Government an amount at least equal to the reductions received as amount of land grant on shipments covered by Government bills of lading.

In view of the complex conditions affecting the purchase and shipment of supplies for the Indian Service, it is not only impracticable, but absolutely impossible to figure in advance the amount that would be needed for the transportation of supplies, particularly where the estimate to Congress is made, as it must be, prior to the awarding of the contracts. That Congress has realized this condition of affairs is evidenced by the deficiency appropriations which have been made in connection with this regular appropriation for the transportation of supplies.

JUSTIFICATION OF FIRST PROVISION.

The process of formally advertising in newspapers for bids for the construction of buildings in the Service and for purchases involving large amounts of money, makes it necessary, to effect an economical and efficient administration, to devise some plan for its elimination in certain instances. It is a slow and unsatisfactory process to advertise these large projects and in the end find that none of the bids received is acceptable for one reason or another. Having advertised without receiving an acceptable proposal, the law, which was enacted primarily to obtain competition and to prevent monopoly, has been in effect complied with. It will result in a more efficient administration if in such cases the Office, with the approval of the Secretary of the Interior, were permitted to move into the open market, and without the formality of re-advertising in newspapers, obtain informal quotations from local bidders and others, and have the work done in that manner, the price not to exceed the lowest bid received under the formal advertisement. Under the practical working of this plan, the matter would be re-advertised, but it could be informally, and considerable time saved, which often is an essential factor.

JUSTIFICATION OF SECOND PROVISION.

As stated in the justification for the increase in the appropriation under this heading for 1914, the present system of widely advertising for quotations on all the supplies needed, most is, not only obtaining bids locally, but through the warehouses, has increased the work of the warehouses materially, and not only has added, but is still adding to the expense of their administration, all of which expense is paid from the appropriation for the purchase and transportation of Indian supplies. Of course, the Government is getting the money back through the return of bidders' printed bids to competitive bids, but that benefits the Government fund at the expense of the administration fund, as has already been explained. By granting the Indian Office authority to make purchases not to exceed \$500 without advertising, some of this additional work can be saved, and to meet the additional cost of the comparatively few items so purchased could be offset by the saving in the expense at the warehouses and in the Indian Office.

Also, there are numerous cases where goods and supplies are needed at an early or urgent hour. The need does not constitute an emergency under the law, and therefore, as the law reads at present, the purchasing officer has no right to buy without advertising. The delay, therefore,

incident to advertising, interfere with the efficient administration of the agency or school, and some discretion should be vested in those field men who, after all, best know the needs of their particular agency and school, and this discretion could be best obtained, so far as the purchase of supplies is concerned, by enabling them, where necessary, to buy without advertising to an amount not to exceed \$500, or, if this amount be deemed too high, a lower one might be substituted and the system tried out for a year. This likewise will help to reduce the expense of administering the warehouses. Purchases of this kind, however, will be made only when deemed for the best interests of the Service.

JUSTIFICATION OF THIRD PROVISION.

This provision is intended simply to give to the schools and agencies the full appropriation made by Congress for their support and maintenance. As the matter stands today, where goods and supplies shipped on Government bills of lading are lost in transit and the value collected from the carrier, the money must be deposited, if the original purchase was made from a gratuity appropriation, to the fund "Miscellaneous Receipts, Class I," if from treaty or tribal funds, deposits must be made to "Miscellaneous Receipts, Class I," if from "Indian Moneys, Proceeds of Labor," deposits must be made to

"Miscellaneous Receipts, Class 3," if from the proceeds of supplies, produce, etc., manufactured in the shops or produced by the farms of the school or agency, deposits must be made to "Miscellaneous Receipts, Class 3." The Class 4 moneys may be used again according to law without specific authority, classes 1 and 2 deposits go back into the original fund to the credit of the Indians and may be reauthorized. Deposits made to Class 1 go into the United States Treasury and may not be used again until reappropriated. Every deposit to Class 1 that is made, therefore, it will be seen, decreases the original appropriation by that much, and it is to sure this that the present proviso has been inserted, which gives to the Indian Service nothing but what Congress intended it should have.

Senate Committee on Indian Affairs,
62d. Congress, 3d. Session.

Hon. Robert J. Gamble (South Dakota), Chairman
" Moses E. Clapp (Minnesota)
" Porter J. McCumber (North Dakota)
" George Sutherland (Utah)
" Robert M. La Follette (Wisconsin)
" Charles Curtis (Kansas)
" Norris Brown (Nebraska)
" Joseph M. Dixon (Montana)
" Carroll S. Page (Vermont)
" William J. Stone (Missouri)
" Jeff Davis (Arkansas)
" Robert L. Owen (Oklahoma)
" George E. Chamberlain* (Oregon)
" Henry L. Myers (Montana)
" Henry R. Ashurst (Arizona).

* Senators Gamble, Clapp and Chamberlain were the conferees on the part of the Senate who receded from the Senate amendment increasing the Board's appropriation. While it is impossible to say who will be the conferees this year, it is probable that Senators Gamble and Clapp will be two of them. The House conferees last year who forced the Senate conferees to recede were Hon. John H. Stephens (Texas), Hon. Scott Ferris (Oklahoma) and Hon. Chas. H. Burke (South Dakota). Mr. Stephens, it is probably safe to say, is not at all in sympathy with the Board, while Mr. Burke presumably is. As the matter will probably be again fought out in conference the six men named will have the most influence on the result.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Answered 1/22

Andover, Mass., January 20, 1913.

Honorable Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Mr. Ayer:

Our letters will probably cross. I have bad news for you, I regret to say. I came home and found my wife ill. She has not been feeling well all winter. She thinks that she will be herself again in a few weeks. I also heard from Inspector Linnen who was on his way to Cass Lake and Leech Lake, Minnesota, and probably reached there today. He will conduct a thorough investigation and can be depended upon as you know. There is no Inspector like him.

My friend, J. Weston Allen, the attorney of Boston, who was with me at White Earth part of the time (at his own expense) cannot go now because his wife is sick in bed.

As Mr. Abbott had told me that he did not apprehend danger for the Red Lake Indians for some weeks, it seems to me we could defer going there. If you do not think what I have to propose is best, you can wire, or write me and I shall return the check you were going to send.

My wife is in a highly nervous state and I do not wish to leave her. Mr. Abbott said that he did not think the legislation looking toward dividing up Red Lake reservation will pass. Mr. Fisher's assistant, in charge of Inspector Linnen's work, said that Linnen was going to that country to head off any aggressive move on the part of the lumber interests. I have telegraphed Linnen and am writing him now a long letter. He will do his duty and "hold the fort" until we get there, as he that kind of a man. I shall know in a week or ten days the situation via Linnen. Then, if there is no immediate danger, no harm will be done by waiting.

This is the situation. I never like to agree to a program I cannot carry out, as you know I usually succeed.

It has been very kind of you to offer to provide "the sinews of war", and if you do not care to have me wait until I can more conveniently go, please say so and I shall return the check instead of holding it. I want to do the right thing in this matter.

I am more than pleased with our meeting in Washington. It is the best we ever held. Kindly remember me to Mrs. Ayer.

With best wishes, I am,

Very cordially yours,

Warrick Moorhead

P. S. Rest assured that Linnen will do his full duty. He is more competent on the job - much more, than I am.

January 21st, 1913.

Honorable William H. Taft,

President of the United States,

Washington, D.C.

Honorable Sir:-

I have known Colonel Scott for many years, especially on his wonderful Indian work and splendid services in the United States. I also met him in Holo and am familiar with the splendid work he did on that island.

I hear he is about to be promoted to Brigadier General and I feel very sure that he will honor the position and that no man has earned it better.

I am also, Mr. President, very anxious, and have been for ten years, that Colonel Scott should have an opportunity of publishing his wonderful knowledge of the sign language of the Indians. I am sure that no man living has even a small portion of his knowledge on the subject.

I feel that I am competent to judge on this question, as I have got together one of the greatest libraries that ever has been collected on the North American Indian, which I have presented to the Newberry Library here and have always felt that the acquirement of Colonel Scott's knowledge should adorn it.

I feel very hopeful, Mr. President, in regard to the work that the Indian Commission

will be able to do in the future from the way
we were received before the Senate Committee
and practically everywhere in Washington.

Yours very respectfully,

E. D. Hayes

January 21st, 1913.

Hon. Chas. H. Burke,
Member of Congress,
Washington, D.C.

Dear Sir:-

As a member of the Board of Indian Commissioners, and one who has made a study of the Indian question for fifty years, and have collected possibly the largest library in the world on the subject, I congratulate you on your speech on the Indian guardianships in the Probate Courts of Oklahoma.

If you can send me a dozen copies of it, I would like to distribute them among some of the influential people here in Chicago, to be a part of a scheme of the Commission to make the Indian situation known to the public.

Yours very truly,

Ed. Eagan

January 21st, 1913.

Hon. James M. Graham,
Member of Congress,
Washington, D.C.

Dear Sir:-

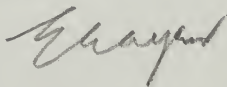
There is in the Newberry Library, Chicago, the greatest library on the North American Indian in the world, consisting of altogether about 33,000 titles that I have presented them.

I am very anxious to get the entire report of your investigating committee to permanently put in the Library. I am also a member of the Board of Indian Commissioners and we are in hopes of making use of your report in getting the question of the North American Indian before the people where it certainly has got to go before we can shut off the myriads of thieves that are after their property.

I am very sorry I did not have an opportunity of meeting you when in Washington last week, but was busy with the Commission every minute we were there.

I think you will be gratified to know that the Commission is entirely disposed to make themselves useful in the future.

Yours very truly,



Chicago, Jan. 21st, 1913.

Dear Mr. Phillips,-

Will you kindly send me the address of each member of the Board, and oblige.

I assume that the Commission will be ready to turn over to Mr. Moorehead the portion of funds that they can spare so that he can get away at the earliest possible moment.

• Yours very truly,

Mr. H. C. Phillips,
Secy., Board of Indian Commissioners,
533 Fifteenth Street, N.W.,
Washington, D.C.

Chicago, Jan. 21st, 1913.

Dear Mr. Moorehead,-

Mrs. Ayer and I returned Sunday morning and found everything all right.

Enclosed please find my check for \$500.00 for use towards investigation of the three Indian Reservations in Minnesota.

This letter will also be authority for you to draw upon me, when the necessity occurs, for \$300.00 towards the same subject. Of course, it is understood that you will get what money you can from the Institution in Boston and what money the Commission can spare, and I have also written Mr. Phillips this morning suggesting that he send it to you at the earliest possible moment and to have it without delay.

Yours very truly,

Mr. Warren K. Moorehead,

Andover, Mass.

Chicago, January 22nd, 1913.

Dear Mr. Moorehead,-

I have yours of January 20th and contents noted. I am very very sorry to hear of your wife's illness and hope it will be temporary.

If you are satisfied with Mr. Linnen's inspection, why of course I am and you can return my check and I will say that at any time we feel it is necessary to take the matter up again if the lumbermen do get after the Indians and the Commission has not got additional funds, I will furnish the money for the work, and this letter will be authority for you to draw on my office for \$500.00 to start it at any time it is deemed necessary by the Commission to take it up.

I do think that we have certainly done some good in our meeting at Washington and hope we made it permanent to be so. If I should take it up with the newspapers here to publish anything, we could only take it, of course, out of the reports as we have them and out of Mr. Linnen's report when we get them. Of course, his report will go to the Indian Department. I wish we could arrange to have a copy sent to our Commission, but that only could be done, as I suppose, by the consent of the Secretary, although I believe we have a right to see any documents at any time pertaining to the Indians.

Very truly yours,

Mr. Warren K. Moorehead,

Andover, Mass.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
January 23, 1913.

Hon. Edward E. Ayer,
1515 Railway Exchange Building,
Chicago, Ill.

My dear Commissioner Ayer:

Answering your letter of January

21st, the names and addresses of the present members of the
Board, are:
Board, are:

Andrew S. Draper, Albany, N. Y.
Merrill E. Gates, 1309 Rhode Island Ave., Washington, D.C.
William D. Walker, 367 Elmwood Ave., Buffalo, N. Y.
George Vaux, Jr., 1606 Morris Bldg., Philadelphia, Pa.
Warren K. Moorehead, Andover, Mass.
Samuel A. Eliot, 25 Beacon Street, Boston, Mass.
Frank Knox, The Leader, Manchester, N. H.
William H. Ketcham, 1326 New York Ave., Washington, D.C.
Daniel Smiley, Mohonk Lake, N.Y.

Regarding Mr. Moorehead's trip, you have doubtless heard from him that the illness of his wife has interrupted his plans. As to the turning over of funds, I would suggest that if Mr. Moorehead has available funds with which to start, he would probably get more from the Board by waiting until he returns or until near the close of the fiscal year when it will be possible to turn over almost to a cent the entire reserve that may remain. Were a lump sum to be turned over now it would necessarily have to be a little smaller than the sum that will probably be available at the end of the year. However it will be small in any event so the matter is less important.

Very sincerely yours,

A. C. Phillips Secretary.

Chicago, January 23, 1913.

Hon. James R. Mann,
Member of Congress,
Washington, D.C.

Dear Sir:-

I see the Senate has replaced the appropriations for Indian affairs cut out by the House.

From my standpoint, it is most important that the amount called for for the Secretary, especially that for medical attendance and personal supervision of the Indians, should be retained, and if the \$10,000.00 is appropriated for the Indian Commission, it will permit the Commission (of which I have the honor of being a member) to visit the reservations, keep in touch with the conditions and be able to give unpaid for and certainly unselfish information in regard to their condition to the Government.

Yours very truly,

Chicago, January 23rd, 1913.

Hon. Shelby M. Cullom,
United States Senate,
Washington, D.C.

Dear Senator Cullom,-

I was sorry I did not have an opportunity of seeing you while in Washington on the Indian Commission, but we were busy all of the time every day.

Your Senate Committee were appreciative enough to put back the amount cut out of the appropriation for the Indian Commission of \$10,000.00, also the amounts called for for Secretary Fisher of the Interior Department for sickness and personal supervision, which is very important.

I accepted position on this Commission hoping that we could make certain independent examinations of the Indian reservations and conditions generally and be able to make reports to the Secretary of the Interior and the President which would be useful.

The House cut the appropriation for the Committee down to \$4,000.00, out of which we had to pay \$2,500.00 for our clerk; \$300.00 rent; \$400.00 for a stenographer and \$500.00 to have our report published, leaving \$300.00 for the expenses of ten gentlemen to examine all the estimates, bids and samples of the goods purchased for the Indians and make reports on reservations, etc. We have several live members on the Board and I know can be of great service to the Government in many ways.

I should not have accepted the appointment under any circumstances if there had been any salary connected with it or if I had

not made a study of the North American Indian for nearly all my life and I thought if it was possible to be of any service, it was my duty to do it.

Yours very sincerely,

Chicago, January 23rd, 1913.

Hon. Lyndon Evans,
House of Representatives,
Washington, D.C.

Dear Evans,-

I want to thank you and Bonnie personally for your courtesies to Mrs. Ayer and myself while in Washington and I certainly also feel grateful to your Democratic Congressional friend for his able diagnosis of what Professor Wilson really thought in his Chicago speech and incidently call your attention and also his to the fact that the Senate has replaced in its bill the amounts cut out from the Secretary of the Interior for medical attendance, services, etc., of the Indian Bureau, including the amount of \$10,000.00 for the Indian Commission that I have the honor of rattling around in.

Really, Evans, all of these things ought to go. I want to see the Indian Commission composed of men who are absolutely alive to the situation, who will make several examinations each year of the Indian reservations so they will be abundantly able to check conditions for the Secretary of the Interior and the President and protect the remnant of the poor devils that are alive, if possible.

Cannot you make a personal matter of this with all the Illinois Delegation and other friends to see that these moneys are allowed in the final passage of the bill?

Yours very sincerely,

Chicago, January 23rd, 1913.

Hon. Robert M. LaFollette,
United States Senate,
Washington, D. C.

Dear Senator LaFollette,-

I want to thank you and the members of the Senate Committee on Indian affairs for the extreme courtesy extended to the Indian Commission last week in Washington and also the Committee for the action they have taken on the Indian appropriations.

I certainly should not have accepted a position on this Commission, Senator LaFollette, if there had been any salary connected with it, or if, from my years of experience with the Indians and in regard to them, I did not think I could be of some service in the independent investigation, etc., and if this bill goes through in this way with \$10,000.00 for expenses of the Commission, you may be very sure that there are enough "live wires" on the Commission to get the very best results in the investigation of abuses, etc.

Yours very sincerely,

W. J. Bryan

BOARD OF INDIAN COMMISSIONERS

Washington, D.C.

January 23, 1913.

To Members of the Board of Indian Commissioners:

There are sent herewith copy of a letter from Mr. Kirby Fitzpatrick, of Oklahoma City, to Commissioner Ketcham, and a copy of volume 2 of the Oklahoma Red Book for 1912, to which Mr. Fitzpatrick's letter refers. Commissioner Ketcham says that he was interested in the speech as a speech without reference to the writer's application for the office he mentions, and considering his fitness for which Commissioner Ketcham has no knowledge.

If any member of the Board desires copies of volume 1 of the Red Book, as per the offer in Mr. Fitzpatrick's letter, this office will be glad to transmit his request.

H. Phillips
Secretary.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.
1606 Morris Building, Philadelphia, Pa.

January Twenty-third
Nineteen Hundred and Thirteen

Hon. Edward E. Ayer,
Railway Exchange Building,
Chicago, Illinois.

Amie 1/23

My dear Commissioner Ayer:-

In accordance with your verbal authorization, before I left Washington I had a further talk with Mr. Abbott as a result of which he stated that the \$500. difference in salary which you told me you would be responsible for, might make a very considerable difference in his attitude. Up to the present time however, I have not heard from him in relation to his decision. I have a very enthusiastic letter from him this morning in which he refers to matters which have transpired before the Senate Committee, as to which I had already seen some comments in the daily press which indicate that the Senate Committee has unanimously voted in favor of everything we asked for *so far*. Mr. Abbott is also much pleased with the outcome of the Osage matter. He says, "Our victory in the Osage fight in my judgment is the most important and far reaching in its moral effect on Indian administration of any that has been won by the Government since my connection with the Indian Bureau. It is one that ought to strengthen the reputation of the Indian office. The Osage affair is another White Earth, except that in the one we have locked the barn *red* end door before the horse is stolen, in the other almost the reverse has been true."

I have a letter from Mr. Moorehead this morning in which he states that it will be necessary for him to wait for a while before going to northern Minnesota, owing to the illness of his wife. I am very sorry for this, but it is evident that it is not possible for him to take the trip now.

With most pleasant remembrance of our intercourse at the recent meeting at Washington, I am

Sincerely yours,

Swan Van Hook

GV DS

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INDIAN AFFAIRS,
WASHINGTON.

January 24, 1918.

Mr. Edward L. Ayer,

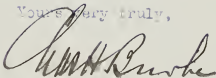
Railway Exchange Bldg.

Chicago, Ill.

Dear Sir:

I have your favor of the 11st, and note your approval of my action in making public in the House, the conditions in the Crow nation in Oklahoma, so far as the manner of managing matters in the Probate Courts is concerned. I will gladly send you some copies of the speech, which can be mailed without postage, simply addressing them. If you want a further supply any time, let me know, and I will send them to you.

Yours very truly,



DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Andover, Mass., January 25, 1913.

Honorable Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Mr. Ayer:

I have yours of January 22nd. I return you your check as suggested by you. I would ask, however, since you have stated in your letter of January 22nd that I could draw at any time for \$500, instead of drawing, which I do not like to do, that you please instruct your financial secretary to send me that amount of money if I should be able to go to Red and Cass Lakes some weeks hence. Or, if in March or April there should another bad situation develop and it be necessary for me to leave. *

I think my wife will be herself again in a short time. At present, I do not think that I am needed to help Linnen.

You will be pleased to hear the good news that Secretary Fisher has just written me to the effect that he will have Linnen visit these other places granting full authority and giving him sufficient time to accomplish results. Also, that Secretary Fisher asked me to give opinion with reference to the new roll of the White Earth Indians which Senator Clapp proposes to have made. I am opposed to this since Mr. Hinton has made an accurate roll of these Indians and same has been accepted by the Interior Department and Department of Justice. Mr. Fisher says that with certain changes, he is willing to accept Clapp's suggestion and I have wired and written Vaux asking him if possible to run over from Philadelphia to Washington Monday or Tuesday and see Fisher and make sure that Senator Clapp's bill will not undo our good work at White Earth. I have also wired and written Phillips for information and have wired and written Judge Burch.

Answering your question about publicity, I think we can bring that about as soon as Linnen gets into action. I shall take that up with the Secretary in the near future as soon as this other matter is settled.

With best wishes, I am,

Very cordially yours,

Warren K. Moorhead

* That is, if I
write for it.

JAMES M. GRAHAM, ILL., CHAIRMAN.
HENRY GEORGE, JR., N. Y. FRANK W. MONDELL, WYO.
WALTER L. HENSLEY, MO. LOUIS B. HANNA, N. DAK.
OSCAR CALLAWAY, TEX. CHARLES H. BURKE, S. DAK.
JOHN F. MCCARRON, ILL., CLERK.

House of Representatives,
Committee on
Expenditures in the Interior Department.
Washington, January 25, 1913.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

Answered
1/28

My dear Mr. Ayer:

Your letter of the 20th has just reached me asking for an entire report of my Committee for the Newberry Library.

I assure you it is a great pleasure to comply with your request, and in addition I shall see that some extra copies reach you.

Of course I knew something of you in a general way for a long time, but the particular information which reached me through my informant, Professor Moorehead, makes me very anxious to assist in any way I can in the great work of justice to which you are lending yourself. During the last four years in connection with my Congressional work I have had an opportunity for the first time in my life to see something of Indian affairs from the inside, and what I have seen has impressed me very much. The great mass of the people know nothing of the Indian situation, and care very little about it because they do not know about it. Those white men who are in immediate contact

JAMES M. GRAHAM, ILL., CHAIRMAN.
HENRY GEORGE, JR., N. Y. FRANK W. MONDOLL, WYO.
WALTER L. HENSLEY, MO. LOUIS B. HANNA, N. DAK.
OSCAR CALLAWAY, TEX. CHARLES H. BURKE, S. DAK.
JOHN F. MCCARRON, ILL., CLERK.

House of Representatives,
Committee on
Expenditures in the Interior Department.
Washington. January 24, 1913.

-2-

with the Indian see in him and his property subject matter for exploitation. The Indian is not able to make the best, or even a good, use of his property, and it may be that some of the white men think he should not be allowed to retain it without making a proper use of it. I fear, however, that many of them only consider that the Indian has something they want, and they get active in an effort to take it away from him. Since I have been giving my attention to Indian affairs it has been my hope to get the attention of men like yourself to the existing conditions, and I am more than pleased, I am delighted, to see the interest you are taking in this matter. I am also more than pleased that you have chosen Mr. Moorehead to aid you in this work. I have profound confidence in his sincerity, ability and courage. He is a real, live, warm-blooded man. He cannot be swerved from a right purpose.

Please draw on me for any printed matter that has any connection with Indian work; and I would be greatly pleased at any time to receive suggestions from you.

Very sincerely yours,

James M. Graham

United States Senate,

COMMITTEE ON FOREIGN RELATIONS,

WASHINGTON, D. C.

January 26, 1913.

Edward E. Ayer, Esq.,
Railway Exchange Building,
Chicago, Illinois.

My dear Sir:

Your favor of the 23d instant, with reference to an appropriation of \$10,000 for the Indian Commission, has been received and noted.

I am glad to hear from you and to know that you are willing to give a little time without pay to a cause that needs attention. I hope that the Committee on Appropriations will be able to hold the \$10,000 amount in the bill. I shall do what I can to have it retained.

Wishing you good health, I am,

Very sincerely yours,

Samuel Bullen

Chicago, January 27th, 1913.

Hon. James W. Graham,
House of Representatives,
Washington, D.C.

Dear Sir:-

I have yours of January 25th and contents noted.

I thank you very much for the courteous expressions in regard to myself, and the Indian Commission has got to amount to something before five of us stay on it.

I found Messrs. Vaux, Moorehead, Knox, Eliot and our splendid Father Ketcham, of Washington, from the first more than in favor of publicity and trying to educate the people to the condition of the poor Indians. The other members who were present, while they had not been very much used to doing it that way, fell into line and became as enthusiastic as anybody, so I really think, Mr. Graham, that we are going to be of some use.

I would like to get everything I can, and especially every one of the reports of your Committee on the Indian, for my Library, which is now a part of the Newberry Library. I spent thirty years on this Library and about one-half million dollars on this North American Indian Library, trying to make it as perfect as possible. I presented it two years ago to the Newberry Library, where it will be forever.

I am also very glad to hear you speak in such kindly terms of Professor Moorehead. He certainly deserves the thanks of every

#2.

man in America for the action he has taken.

Very truly yours,

Chicago, January 27th, 1913.

Dear Mr. Moorehead,-

Yours of January 25th enclosing my check for \$500.00 received and contents noted.

Of course, if our appropriation is increased, I should expect you to get the money for the Red and Cass Lakes expedition from the fund itself. My advancing this money was on the basis that we were to get only \$4,000.00 a year, but if they do not increase our appropriation and it is necessary to make these investigations to save the Indians, then my original proposition holds and this letter will be authority.

I sincerely hope we will be able to get Mr. Abbott for Secretary. I think he will be a great help to us and I think if we get an additional appropriation we can pay him \$3,000.00, which I am sure will hold him. I would be very much in favor of doing so.

I received a nice letter from Congressman Graham this morning speaking in the highest terms of you, which pleased me very much.

Yours very truly,

Mr. Warren K. Moorehead,
Andover, Mass.

W. K. Moorehead

Chicago, January 27, 1913.

Dear Father Ketcham,-

I cannot express to you, Father Ketcham, the delight I had every moment I was with you in Washington. You are an inspiration. I feel very hopeful about the outcome of all of our work there and I know that we are going to do some good.

Mr. Moorehead writes me that he cannot go to the White Earth, but that Mr. Linnen has been detailed for that work and that he is absolutely perfect for it, so we will get at the true inwardness of everything going on in those three reservations through him.

I wrote Chairman Vaux that in my opinion if we got our appropriation and could get Mr. Abbott for Secretary, that we ought to arrange to have him, during the year, visit several of the Indian reservations and have some of us go with him if we could. How splendid it would be, Father, to have him go on a trip with you to your numerous tribes that you are interested in.

Mrs. Ayer joins me in the hope that we may have the opportunity of entertaining you in Chicago or at our summer home in Lake Geneva during the early future.

Thankin' you for your courtesy while in Washington and for the splendid interest you take in this work, I remain,

Your devoted friend,

Fr. William H. Ketcham,
1326 New York Avenue,
Washington, D. C.

Edna 2 yrs

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Chicago, January 27th, 1913.

1 Mo. 30 1913

Dear Mr. Vaux,-

I have your letter of January 23rd and contents noted.

I am exceedingly obliged to you. I was in hopes that Mr. Abbott had accepted our proposition before this. I sail for Europe in about twenty days now, but if, in the future, we should not get our appropriation increased and you need the \$500.00 for Mr. Abbott, I will be very glad to contribute it ^{for one year} and you can so make arrangements with him that I will send it after I return back from Europe. Of course, if we get an increased amount from Congress, it would not be expected that anybody should put up their money.

I had a letter from Mr. Moorehead stating that he could not go north, but that Mr. Linnen was going and could be fully relied upon in every way to make a proper report. In a "P.S." at the bottom of his letter he says "Rest assured that Linnen will do his full duty. He is more competent on the job - much more, than I am," so that is in good hands for the present. Mr. Moorehead also writes me that he thinks it will be possible to arrange to have these reports from Linnen published if it is necessary.

If we get an additional appropriation and can get Mr. Abbott I think we ought to have him visit six or seven reservations of the leading places every year and keep us thoroughly posted on the conditions

and some of us occasionally go with him if we can. If they allow our appropriation, we could certainly do that and that is the very best use that can be made of the money and to keep the people of the country posted in regard to these reservations and the conditions on them.

I cannot tell you, Mr. Vaux, how I enjoyed you all in Washington. I felt immediately as if I was amongst a lot of unselfish splendid friends who were desirous to do good.

I thank you personally for your extreme courtesy to me and have congratulated myself many many times that we had so good a Chairman. If you ever come to Chicago while I am in the country, I want to see you sure. I shall be home from Europe about the 15th of June and will be at Lake Geneva until about the 1st of October, only eighty miles out of Chicago, and will be delighted to have you visit me there.

Yours most sincerely,

Edw. A. Ayer

Mr. George Vaux, Jr.,

1606 Morris Bldg.,

Philadelphia, Pa.

214
C O P Y.

Jan. 3, 1913.

My friend:

I have your letter of December 20th concerning the allotment of the lands of the Red Lake Indian Reservation and copy of your petition to the Commissioner of Indian Affairs.

The Board of Indian Commissioners will have a meeting in the early part of February and at that time I shall take great pleasure in reading your letter to them and also the copy of your letter to the Commissioner of Indian Affairs. When the Board has considered this matter I shall write you again.

Your friend,

(Signed) F. H. Abbott.

Bay-mway-way-be-nais,
Red Lake, Minnesota.

SENATE OF THE UNITED STATES
COMMITTEE ON THE CENSUS
WASHINGTON, D. C.

January 27, 1913.

Mr. Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.

Dear Mr. Ayer:-

Permit me to acknowledge receipt of your letter of January 22 and to assure you that I shall do everything that I properly can to have a sufficient appropriation made to enable the Commission to do its work thoroughly.

With kind personal regards, I am,

Very truly yours,

Robert M. La Follette

HW

HOUSE OF REPRESENTATIVES
WASHINGTON

January 27, 1913.

My dear Mr. Ayer:

I beg to thank you for your letter of the 23rd. I shall see the members of the Illinois delegation and also some other delegations in regard to the matter. The real question, however, will be decided by the Conference Committee and I am going to try to find out who that will be. As a rule the Senate wins most of its points which conflict with the House.

Very truly,

A handwritten signature in cursive script that reads "Lynden Evans". The signature is written in dark ink and is positioned below the typed name.

Edward E. Ayer, Esq.,
Railway Exchange Bldg.,
Chicago, Illinois.

Chicago, January 27th, 1913.

Dear Mr. Vaux,-

I have your letter of January 23rd and contents noted.

I am exceedingly obliged to you. I was in hopes that Mr. Abbott had accepted our proposition before this. I sail for Europe in about twenty days now, but if, in the future, we should not get our appropriation increased and you need the \$500.00 for Mr. Abbott, I will be very glad to contribute it, ^{for your year} and you can so make arrangements with him that I will send it after I return ~~back~~ from Europe. Of course, if we get an increased amount from Congress, it would not be expected that anybody should put up their money.

I had a letter from Mr. Moorehead stating that he could not go north, but that Mr. Linnen was going and could be fully relied upon in every way to make a proper report. In a "P.S." at the bottom of his letter he says "Rest assured that Linnen will do his full duty. He is more competent on the job - much more, than I am," so that is in good hands for the present. Mr. Moorehead also writes me that he thinks it will be possible to arrange to have these reports from Linnen published if it is necessary.

If we get an additional appropriation and can get Mr. Abbott I think we ought to have him visit six or seven reservations of the leading places every year and keep us thoroughly posted on the conditions

and some of us occasionally go with him if we can. If they allow our appropriation, we could certainly do that and that is the very best use that can be made of the money and to keep the people of the country posted in regard to these reservations and the conditions on them.

I cannot tell you, Mr. Vaux, how I enjoyed you all in Washington. I felt immediately as if I was amongst a lot of unselfish splendid friends who were desirous to do good.

I thank you personally for your extreme courtesy to me and have congratulated myself many many times that we had so good a Chairman. If you ever come to Chicago while I am in the country, I want to see you sure. I shall be home from Europe about the 15th of June and will be at Lake Geneva until about the 1st of October, only eighty miles out of Chicago, and will be delighted to have you visit me there.

Yours most sincerely,

Edu *Eager*

Mr. George Vaux, Jr.,

1606 Morris Bldg.,

Philadelphia, Pa.

Chicago, January 28, 1913.

Dear Mr. Eliot,-

I want to take the opportunity of thanking you personally for your courtesy to me in our few days hard work in Washington and I know you must feel encouraged that we had such a good result before the Senate Committee and it does look as if we are going to do good.

If we get our appropriation and especially if we get Mr. Abbott for Secretary, we ought to have him visit seven or eight of the leading reservations every year, accompanied by some of us if possible, and keep the public informed of the conditions of the Indian reservations through our Board at all times.

I will be delighted, Mr. Eliot, if I can have an opportunity of entertaining you at Chicago or at my summer home at Lake Geneva in the near future.

Yours most respectfully,

Mr. Samuel A. Eliot,
25 Beacon Street,
Boston, Mass.

E. Allen *W. H. Hays*

Room 206-220 Metropolitan Bldg.
Telephone 220

Muskogee, Oklahoma

January 29, 1913.

Rev. William H. Ketcham,
Washington, D. C.

Sir:

I am sending you under separate cover a copy of the Independent of January 2, 1913. Beginning on page 39 is an article I have written entitled "Protecting the Indian," which I hope you may have the time to read.

I have undertaken in this article to state briefly some of the facts about one phase of the Indian situation in Oklahoma. And in that connection I found a discussion of these matters necessarily associated with the mention of Mr. M. L. Mott, a man who in the service of these Indians has had the necessary courage and strength to stand against the tremendous pressure of the white people of Oklahoma.

It is unfortunate that the reading public receives most of its information about Indian affairs from exposures from time to time of great wrongs visited upon the Indians, but there seems the necessity for those who have the disposition, to publish the facts about this situation to the end that Congress may be induced to take such steps for their future protection as it is possible to provide.

There is in this state a wide-apread hope and impression that the incoming administration because of its political complexion, is going to yield ready compliance with the demands of the white people here that the government shall take its protecting hand off these Indians and deliver them to the tender mercies of the state. It is hardly conceivable that the President and the incoming Secretary, if advised of the real situation here, could be persuaded to yield to this inhumane demand, and it is a matter of the gravest concern to these Indians that the incoming administration should learn of the situation in time to prevent hasty action with reference to this matter.

Very respectfully yours,

(Signed) Grant Foreman.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Hon. Edward E. Ayer,
Chicago, Ill.

Dear Mr. Ayer:

Your favor of January 27 afforded pleasure to me. I assure you that all your kind words and wishes are reciprocated.

No doubt Mr. Linnen will be able to handle the situation in Minnesota.

I am fully in accord with you regarding the advisability of having Mr. Abbott, provided he accepts the Secretaryship, visit reservations where there is trouble of serious nature. I probably would be able to make some of my visits coincide with his.

I am enclosing a copy of a letter received from a Mr. Foreman, Muskogee, Oklahoma. I do not think that I am acquainted with the writer but he has written some things that it would be well for the members of the Board to think over.

I delayed answering your letter for a few days in the hope that I might first interview our friend Mr. Evans. I have not been able to call on him at the proper hour, but intend to do so at the earliest opportunity.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

In the near future I shall take the liberty of bringing to your attention several matters of importance.

I beg to express my appreciation of the invitation extended to me by Mrs. Ayers and yourself. If it is ever possible for me to accept your kind hospitality, I shall be more than delighted.

Believe me, yours very faithfully,

Wm. H. Ketchum

MUSKOGEE, OKLAHOMA

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Very respectfully yours,

Grant Foreman

Thomas & Foreman
Attorneys At La

Copy

John R. Thomas
Grant Foreman

Rooms 206-220 Metropolitan Bldg.
Telephone 220

Muskogee, Oklahoma

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(Signed) Grant Foreman.

Copy

MINUTES OF ANNUAL MEETING OF BOARD OF INDIAN
COMMISSIONERS, WASHINGTON, D. C.,
JANUARY 15, 16 and 17, 1913.

Wednesday, January 15, 1913

10 A.M.

The Board met at its office (rooms 319 and 320 Corcoran Building).
Present: Commissioners Vaux, Walker, Moorehead, Eliot, Ayer and
Ketcham and Secretary Phillips.

DEATH OF
COMMISSIONER
SMILEY

The meeting was called to order by Commissioner Vaux, Acting
Chairman, who suggested that before proceeding to
other business the Board should take proper action
with reference to the death, on December 2, 1912,
of Commissioner Albert K. Smiley. On motion of
Commissioner Eliot, seconded by Commissioner
Moorehead, it was voted that the Chair appoint a
committee to draft for the records of the Board
a suitable resolution. The Chair named as such committee
Commissioners Eliot, ~~Walker~~ *Moorehead* and Ketcham.

The minutes of the last meeting of the Board held at Mohonk
Lake, New York, in October, 1912, were read and approved.

During the reading of the minutes Commissioner Gates arrived.

RESIGNATION OF
Chairman
~~Commissioner~~

DRAPER

The resignation of Commissioner Draper as Chairman of the Board,
on which action had been deferred at the last
meeting, was considered. In view of
Commissioner Draper's insistence, in a letter
received since that meeting, that his failing
health would make it absolutely necessary
for him to give up the work of Chairman, on
motion of Commissioner Eliot, seconded by
Commissioner Walker, the resignation was accepted. In seconding
the motion, Commissioner Walker spoke feelingly of his high regard
for Commissioner Draper and his important services to the Board.
The Secretary was instructed to notify Commissioner Draper of the
acceptance of his resignation as chairman and to reassure him of the

high regard and affection of his colleagues.

RESIGNATION OF SECRETARY PHILLIPS

The resignation of Secretary Phillips, as conveyed informally at each of the last two meetings and formally by letter dated December 23d., 1912, was discussed. Commissioners Gates and Eliot hoped it would be possible to reach some arrangement with Mr. Daniel Smiley, as representing the Lake Mohonk Conference, whereby Mr. Phillips might resume^{the} Secretaryship of those conferences and still continue with the Board of Indian Commissioners. Commissioner Vaux explained that both he and Commissioner Draper had made repeated efforts in that direction, and the Secretary confirmed his opinion that further negotiations along the same line would be useless. Mr. Phillips also expressed his great appreciation of the courtesy shown him by the Board and of its desire for him to retain his present position, and assured the Board that only his sense of justice to Mr. Smiley impelled him to regretfully insist on the acceptance of his resignation. On motion of Commissioner Ayer, it was voted to accept the resignation to take effect April 1, 1913 or at such earlier date as a new secretary should be selected and be able to enter upon the duties of the office.

NEW MEMBERS

Formal notice was given of the appointment to the Board since the last meeting of Commissioners Ayer, Ketcham and Daniel Smiley.

FUNDS

The Secretary reported that after paying the regular expenses of the office and for travel of members to and from the present meeting, there would probably remain in the hands of the disbursing agent about \$180 to be expended before June 30, in such manner as the Board might direct.

LEECH, RED AND CASS LAKES

Commissioner Moorehead expressed his firm belief that a bad condition of affairs existed at Leech, Red and Cass Lakes in Minnesota and his earnest desire to investigate the situation and report to the Board. Commissioner Ayer hoped it would be possible to send Mr. Moorehead to make such investigation. It was pointed out that no investigation of consequence could be undertaken with \$180, part if not all of which would probably be needed for travel in connection with the awarding of contracts for Indian supplies. Commissioner Ayer thought there would be no difficulty in raising outside funds, if necessary, and suggested that Mr. Moorehead might be authorized to go provided funds could be secured. Commissioner Gates said that while he was at White Earth in 1909 the Indians had repeatedly expressed to him a wish that the Board might investigate conditions to the north of them. He also suggested that the co-operation of Joseph R. Farr, Late Superintendent of Logging in the Indian Service, would be valuable to the work of any investigating committee because of Mr. Farr's expert knowledge of timber conditions in Minnesota. After discussion, on motion of

Commissioner Ayer, seconded by Commissioner Eliot, it was:

RESOLVED: That Commissioner Moorehead be authorized and requested to undertake, as soon as possible, an investigation of conditions affecting Indians on the Leech Lake, Red Lake and Cass Lake Reservations in Minnesota, with the object of placing before this Board the facts respecting the protection of the rights of the Indians; that his report be submitted in writing to the Chairman of this Board who may give to it such publicity as may seem necessary or advisable; that Commissioner Moorehead shall submit to the Board an itemized statement of his expenses in connection with said investigation; and that he shall, if practicable, secure the co-operation of Joseph R. Farr, Late Superintendent of Logging in the Indian Service, provided that Mr. Farr's co-operation shall be without expense to the Board.

The question of the co-operation of the Board in the awarding of contracts for Indian supplies was raised by Commissioner Ayer who inquired whether a member of the Board could properly delegate his duty in that respect to a person not a member or regular employee of the Board. After discussion, it was agreed, with the concurrence of Commissioner Ayer, that such delegation would not be in keeping with the letter or spirit of the law.

The question of the attitude of the Board toward the Indian Office was discussed at some length. It was agreed that wherever possible an attempt should be made looking to constructive cooperation with the Indian Office. On the other hand, it was urged by Commissioners Ayer, and Ketcham that while cooperation in every possible respect should be sought, the critical condition of the Indians demand positive and pronounced action; that the Board should be free, even at the risk of open conflict with the Indian Office, to bring to light any situations concerning which the public should have knowledge; and that in the last analysis the Board should consider itself subject only to the President, which view was apparently acceptable to the members present.

The Secretary stated that the Department of the Interior had included in the estimates for the fiscal year 1914, an item of \$10,000 for the expenses of the Board, which item the House Committee on Indian Affairs had cut to the usual \$4000, and suggested that as the Senate Committee on Indian Affairs would be in session on the following day for discussion of the bill, it would be desirable for members of the Board to appear before that Committee. Commissioner Ayer stated that the Secretary of the Interior had said to him the day before that such a course would be desirable.

After discussion of the personnel of the Senate and House Committees and of the attitude of various members of those Committees toward the Board, during which discussion letters from several of the gentlemen were read, the Secretary was instructed to try to arrange a hearing for the Board as a body on the following day.

ELECTION OF PRESIDENT The Board then proceeded to the election of officers for the ensuing year. The office of the Chairman was announced as the first to be filled and the Board balloted with the result that Commissioner Vaux was declared elected.

ELECTION OF SECRETARY Regarding the office of Secretary there was a long discussion during which the candidacy of Mr. Henry S. Haskins of Worcester, Mass. and Mr. John Herndon of Alexandria, Va. were considered. The Secretary reported that Mr. John M. Redpath, formerly private secretary to the late Commissioner of Indian Affairs (Mr. Valentine) had been suggested for the position but had not applied. Commissioner Eliot on later investigation found that Mr. Redpath would not be available. It was finally agreed that the election of Secretary should be deferred until a later session.

INVITATION TO VISIT INDIAN OFFICE The Secretary said he had just received a telephone message from the Acting Commissioner of Indian Affairs, Mr. Abbott, inviting the members of the Board to visit the Indian Office that afternoon. It was agreed to accept the invitation, whereupon the Board adjourned at 1 P.M. to meet at the Indian Office at 2:30.

Wednesday, January 15

2:40 P.M.

The Board met in the room of the Commissioner of Indian Affairs at the Indian Office. Present: Chairman Vaux, Commissioners Gates, Walker, Moorehead, Eliot, Knox, Ayer and Ketcham, and Secretary Phillips, and Mr. F. H. Abbott, Acting Commissioner of Indian Affairs.

F.H. ABBOTT ON THE INDIAN SERVICE In accordance with a previous invitation, Mr. Abbott read to the Board a paper entitled, "Basic Facts and Needs in Indian Affairs" in which he advocated an active advisory board of non-salaried directors, constituted as is the Board of Indian Commissioners, who should bear the same relation to the Commissioner of Indian Affairs that the trustees of a college bear to its president. He would not disturb existing relations of the Indian Office with the Secretary of the Interior, although he thought the Commissioner's powers should be extended. He urged the

Board to appoint a committee to investigate the methods and work of the Indian Office, to which investigation he considered the Indian Office entitled because of criticisms that had recently appeared in the press. He defended the Indian Office against charges of inefficiency except such as resulted from lack of money to employ an adequate force or pay suitable salaries to the rank and file of the employees. The Indian Office, he declared, must be considered a growing institution, not only because of the continued incapacity of so many Indians but also on account of the increasing labors imposed by new laws.

Commissioner Ayer asked Mr. Abbott if there were no way in which affairs of the Indian Office, including its achievements and its handicaps, could be brought more to the attention of the public. Mr. Abbott replied that such a course would be desirable, but that the Indian Office was not especially equipped for that kind of work. Mr. Ayer inquired whether Mr. Abbott thought the Board of Indian Commissioners had authority to make public anything concerning Indian affairs, and received an affirmative reply. Commissioner Ketcham asked if much public indifference did not arise from a false notion that the Indian problem is nearing solution and that the work now being done is more or less useless. Mr. Abbott replied that such was undoubtedly the case. Commissioners Ketcham, Moorehead and Knox endorsed Commissioner Ayer's view that wide publicity for Indian affairs, properly conducted, should be undertaken regardless of whom it might affect. Commissioner Moorehead inquired if the special agents and inspectors in the Indian service were required to give special attention to the protection of the property rights of Indians. Mr. Abbott explained that while heretofore each special agent had usually been confined to one subject, new regulations had just been promulgated which required inspection by each individual of all conditions coming under his observation at any reservation.

At the suggestion of Mr. Abbott, the Board made a tour of the Indian Office, getting some idea of its various departments at work. At the conclusion of the tour, at 4:15 P.M., the Board returned to the office of the Commissioner and continued its session with the same persons present except Commissioner Moorehead who was compelled to leave to meet a lecture engagement.

Mr. J. George Wright, Commissioner to the Five Civilized Tribes, was called in and exhibited maps showing the condition of his work among the Chickasaws and Choctaws, explaining the lands and resources of those nations. He said his work so far as purely tribal affairs were concerned could be

individual
completed in a very few years, but the full blood Indians, he thought, would need protection for many years to come. The protection given

the Indians by the district agents, he explained, was being continued during the present fiscal year out of funds available for administration of the Five Civilized Tribes with the addition of \$25,000 which the Indian Office had assigned from another fund, but the House of Representatives had just cut the appropriation bill for 1914 so as to make impossible the district agency system or a substitute another year. He explained that the cost of protecting Indians of the Five Civilized Tribes was \$8 per capita as compared with \$18 per capita for the Osages.

Mr. Wright then withdrew and Supervisor W. M. Peterson of the Indian Office discussed Osage conditions, Mr. Abbott occasionally furnishing information on the subject. THE OSAGES Mr. Peterson, who was with the Osages for about six weeks in 1912, during 18 days of which he was in charge

of their affairs, said that the Osages were being systematically robbed by white men. The law allows the Osages to lease their lands and collect the lease money and they frequently sign receipts for amounts many times those they actually receive. One record shows that an Indian signed a receipt for \$1380 and received only \$380. Mr. Peterson believed Indians should not be allowed to collect lease money. The Indians also, in the absence of receipts, often pay the same bills several times. Much of the difficulty he attributed to the fact that the Indians had been allowed to collect in Indian villages adjoining the town of Pawhuska where he said it was easy for them to be demoralized and swindled, and where liquor was sold not openly but nevertheless in great quantities. One Indian, he said, had been arrested for drunkenness and disorderly conduct not less than twenty-three times in less than a year and many others had been arrested from one to twelve times. The fines resulting from such arrests, together with other methods of swindling the Indians, enable designing whites to keep these Indians, who are nominally rich, in debt for a good part of the time. He believed at the present time not more than one Indian among the Osages was in anything like the financial circumstances he should enjoy. So great is the thirst for liquor among the Osages that girls at the Osage boarding schools had been known to become intoxicated on perfumery, and it had been necessary to secure the consent of local druggists not to sell them cheap perfumes containing a large percentage of intoxicants. While nominally 452 Osage children are enrolled in public schools practically very few of them attend any school more than two or three times a month. There is no disposition on the part of the Osages generally to work or to send their children to school, and moral conditions are deplorable. Mr. Peterson also said that within six months during the year 1912 there were 23 murders in the immediate vicinity with no convictions and comparatively few arrests. Mr. Abbott outlined briefly the recent

controversy regarding oil leases with the Osage Council and the Uncle Sam Oil Co. and said the Department of Justice was now handling certain phases of the subject in the hope of breaking up a notorious gang of grafters who could not be touched by local authorities because of their strength in local politics.

Mr. Abbott said he believed the Osages needed principally three things; first, the breaking up by legal prosecution of the gang of grafters and the consequent creation among the Indians themselves of a sentiment against graft; second, legislation to break up the villages and scatter the Indians on their allotments; third, the introduction of high class farmers to give the Indians individual instruction in industry.

JICARILLA
APACHES

Chairman Vaux stated that information had come to the Board regarding an alleged starving condition of certain members of the Jicarilla Apache band in New Mexico, and asked Mr. Peterson, who was then handling Jicarilla matters in the Indian Office, for his understanding of the matter. Mr. Peterson stated that he had been on the ground about the middle of December at which time there was no suffering. He gave statistics showing that 153 of these Indians were on the ration roll and were receiving rations more than sufficient for the support of that number. Referring to the statements of a Mr. Bell, a missionary among the Jicarilla Apaches, that the Indians were freezing and starving to death, he stated that there certainly could be no need of freezing as free fire wood could be had for the cutting. If starvation existed, which he doubted, it could only mean that able-bodied Indians consumed rations intended for the infirm. The solution would be to segregate the infirm and protect their rations. Informed that parties in Philadelphia had sent large quantities of clothing to these Indians, he expressed the opinion that much of the clothing would be sold by the Indians to Mexicans. He added that there was plenty of work for all able-bodied Indians cutting ties for railroad companies; that it was possible at the present time to make a per capita payment of \$15 each to these Indians but that he personally favored investing the money in some other way which would better their industrial condition. The chief danger to these Indians at the present time, he thought, was an attempt to get Congress to throw back into the public domain a part of their grazing lands from the leasing of which they enjoyed a considerable income. In any event he considered the rumor greatly overdrawn and believed the Indian Office could prevent material hardship to the Indians.

On motion of Commissioner Gates it was voted that the Chairman, Commissioners Eliot and Knox and the Secretary be instructed to prepare an outline of subjects to be presented to the Senate Committee the following day.

The Board then adjourned at 6 P.M. to meet at the White House at 10 A.M. the following morning.

Thursday, January 18

10 A.M.

The Board met at the White House. Present: Commissioners Vaux, Walker, Moorehead, Eliot, Ayer and Ketcham and Secretary Phillips.

CALL ON After being received by the President in accordance with a previous appointment, the Board proceeded to the Capitol to appear before the Senate Committee on Indian Affairs, but finding present only Senators La Follette, Ashurst and Owen, it was informally agreed to postpone the hearing until the following morning at 10:30 when it was expected a quorum of the Committee would be present. The Board returned to its office at 11:45 A.M. with the same members present and also Commissioner Knox, who joined the Board at the Senate Committee Rooms, and Commissioner Gates, who arrived at the Board's office about ten minutes after the meeting had been called to order at 11:45 A.M.

The question of publicity in Indian Affairs was discussed at considerable length after which the Board again took up the matter of electing a secretary. Commissioner Ayer stated that he had been impressed by a suggestion made to him that morning by Commissioner Ketcham to the effect that possibly Mr. F. H. Abbott, then Acting Commissioner of Indian Affairs, might accept the position of secretary, although he realized the position commanded a smaller salary than Mr. Abbott was receiving. Commissioner Gates suggested that Mr. Abbott might be hampered by lack of influence with the incoming administration. Commissioner Knox thought Abbott's knowledge of Indian affairs would more than outweigh such objection. Commissioner Ketcham said he did not agree with all of the views of Mr. Abbott but believed him to be fair and honest. Commissioner Walker said he had been favorably impressed by what he had seen of Mr. Abbott. Further discussion was postponed until the afternoon session with the understanding that in the meantime the Chairman should if possible ascertain informally whether Mr. Abbott would consider accepting the office were it offered him.

Commissioner Eliot, on behalf of the committee appointed the preceding day, submitted the following minute regarding the death of Commissioner Albert K. Smiley, which minute was unanimously adopted and copies ordered to be sent to the family of the deceased and spread on the records of the Board:

The United States Board of Indian Commissioners here records its profound appreciation of the character and achievements of the senior member of the Board, Mr. Albert K. Smiley, who died at his home in Redlands, Cal. on Dec. 2, 1912, at the age of eighty-four.

For thirty-three years Mr. Smiley brought to the meetings and discussions of the Board a keen and intelligent interest in the welfare of the Indians, a sound and impartial judgment, and the serene optimism which was his Quaker birthright. He believed in the ability of the Indians to ultimately attain a higher civilization and he saw and pointed out the ways of education, industry and self-reliance through which the Indians must be led into the privileges and duties of citizenship. His associates recall with gratitude his firm and gentle dignity, his highminded devotion and his gracious hospitality to them and to many of the friends of the Indian at Mohonk Lake. He was wise in his counsels, broad in his sympathies, lofty in spiritual vision. His memory will always be an encouragement and a blessing.

Commissioner Eliot referred to the request made the preceding day by Mr. Abbott, Acting Commissioner of Indian Affairs, that the Board appoint a committee to investigate the methods and work of the Indian Office, and moved that the Chairman be requested to appoint such a committee. The motion was seconded by Commissioner Ketcham but was temporarily withdrawn to afford time for informal discussion.

It was voted that Mr. S. M. Brosius of the Indian Rights Association should be asked to appear before the Board at 2:30 P.M. for presentation of such matters as he might deem of special importance. Commissioner Ketcham suggested that Governor Victor J. Locke, Jr. of the Choctaw Nation, and the Choctaw tribal attorney, Mr. P. J. Hurley, be invited to present conditions among the Choctaws, and it was agreed that they should be so invited.

The Board then adjourned at 12:50 until 2:30 P.M.

Thursday, January 16, 2:30 P.M.

The Board met at its office. Present: Commissioners Vaux, Walker, Moorehead, Eliot, Knox and Ketcham, and Secretary Phillips.

Mr. S. M. Brosius of the Indian Rights Association appeared and made a plea for more liberal treatment of Indians in connection with irrigation and water rights, speaking particularly of the Colorado River and the Yuma projects. He also dwelt at some length on the Yakima situation and expressed the opinion that here and elsewhere in the Indian country if an arbitrary amount of water is to be allowed to Indians, it should be based not on their present profitable use but on their future prospects. He also mentioned as a pressing case the question of land in the "Leupp Extension" which ten years before had been set apart temporarily for the use of the Navajos with the understanding that they were to be allotted and the balance of the lands thrown

open to the settlement. None of the land having been allotted, Senator Ashurst of New Mexico insists that the land be opened. A tentative proposal to allot a strip of land north of the Little Colorado River Mr. Brosius thought would not be satisfactory to the Indians, and moreover the Indian Office claims it is not in a position to allot the land at this time. Mr. Brosius withdrew at 3 P.M.

CALL ON SECRETARY
OF INTERIOR

The members present then proceeded to the office of the Secretary of the Interior where they were joined by Commissioner Ayer and received by Secretary Fisher who expressed the hope that the Board would become increasingly active in Indian affairs.

At 4:30 P.M. the same members who had called on the Secretary of the Interior returned to the Board's office and continued the session.

ELECTION OF SECRETARY

The Chairman announced to the Board that in accordance with the directions given him at the morning session, he had conferred with Mr. Abbott regarding the secretaryship and that Mr. Abbott had agreed to consider the matter carefully.

On motion of Commissioner Eliot, it was voted to proceed to ballot for a secretary, the result of the ballot being that seven votes were cast, all of them for Mr. F. H. Abbott, who was declared elected secretary, subject to his acceptance.

On motion of Commissioner Ayer, it was voted that the Chairman and Commissioner Eliot and Ketcham be appointed a committee with power to select a secretary in the event that Mr. Abbott should not accept the position.

DISBURSING AGENT

On motion of Commissioner Eliot, it was voted that the present secretary be instructed to request the Secretary of the Interior to appoint the next secretary of the Board as its next disbursing agent.

It was voted that at 9:30 the following morning a hearing should be given to Hon. H. B. F. Macfarland, legal representative of the Protestant Home Missions Council.

WHITE EARTH

Commissioner Moorehead said he had received from the Department of Justice some very interesting information as to the progress of prosecutions in the White Earth cases, and after discussion it was voted to give a hearing the following afternoon either to Judge M. C. Burch or to his assistant, Mr. O'Brien, of the Department of Justice, as might be arranged with these gentlemen by Commissioner Moorehead.

On motion of Commissioner Eliot, seconded by Commissioner Walker,
it was,

METHODS AND WORK

OF INDIAN OFFICE

VOTED: That the Chair appoint a
committee of three on methods and work
of the Indian Office.

On motion of Commissioner Knox, seconded by Commissioner
Ketcham it was,
PUBLICITY

VOTED: That the Chair appoint a committee
of three on publicity.

The Board then adjourned at 5:40 P.M. until 9:30 the following
morning.

Friday, January 17

9:30 A.M.

The Board met at its office. Present: Commissioners Vaux,
Walker, Moorehead, Ayer and Ketcham and Secretary Phillips.

Hon. H. B. F. Macfarland, Counsel for the Home Missions Council
of Protestant Churches, appeared, expressed the
gratification of the Home Missions Council at
the active part taken in Indian affairs by the
Board and offered the services of the Home
Missions Council in any way the Board might desire.

HOME MISSIONS

COUNCIL

The subject of mescal or peyote was brought up by Commissioner
Walker and discussed by him, Mr. Macfarland and Commissioners
MESCAL Vaux and Ketcham. It was finally agreed that Commissioner
Ketcham should report at the next session a resolution on
the subject. Mr. Macfarland then withdrew.

During the discussion on the subject of mescal, Commissioner
Knox arrived.

Commissioner Moorehead reported that he had conferred informally
with Judge Burch and Mr. O'Brien with respect to
appearing before the Board, and that Judge Burch
had said he would not care to appear unless the Board
would rescind the resolution adopted at its annual meeting in 1912,
which the Judge considered a reflection on his work. Commissioners
Moorehead and Ayer favored rescinding the resolution. Commissioners
Vaux and Walker expressed doubts as to the advisability of so doing.
It was agreed that Commissioner Moorehead should again ask Judge
Burch to appear without assurance that the Board would rescind any
action.

WHITE EARTH

At 10:30 the Board proceeded to the room of the Senate Committee on Indian Affairs where a hearing was given them by that Committee, there being present Senators La Follette (presiding), Chamberlain, Curtis, Page and Ashurst. Toward the close of the hearing, Senator Clapp, Acting Chairman of the Committee, entered and took the chair. Representing the Board were Commissioners Vaux, Walker, Moorehead (part of time only), Knox, Ayer and Ketcham, and Secretary Phillips. Chairman Vaux, as principal spokesman for the Board, urged the inclusion in the pending Indian Appropriation Bill of \$10,000 for the expenses of the Board; \$250,000 for the prevention and treatment of disease; \$300,000 for agricultural experiments, employment of field matrons and practical farmers, etc.; \$250,000 for administration of the affairs of the Five Civilized Tribes; and also the inclusion of \$250,000 for Navajo schools and an additional \$100,000 for the relief and settlement of the Fort Sill Apache prisoners of war. Senator La Follette, for the Committee, requested the Board to prepare and submit for inclusion in the record of the hearing, a history of the Board and its achievements, including a sketch of each of its members, and a justification for an appropriation of \$250,000 for the prevention of disease. Commissioners Walker, Ayer, Ketcham and Knox also spoke briefly and assisted in answering the questions of the Committee.

At 12:30 the Board again assembled at its office with the same members present except Commissioner Moorehead who arrived at 1:20.

Governor Victor J. Locke, Jr., an Indian and chief of the Choctaws, came before the Board and explained that THE CHOCTAWS detailed figures regarding what he had to present were in the possession of his attorney, Mr. Hurley, who he had expected to be present, and he would therefore be compelled to state general facts. He said he considered that next to the school question in Oklahoma, the probate work was the most important. The first set of probate judges elected in the state of Oklahoma were, he said, some good but some very bad. Judge Davenport he described as a good judge. McCurtain county was one of the worst places in this respect. One Judge Barnes started in with practically no property and in less than four years, on a salary which could not have exceeded \$2500 annually, appeared to have accumulated about \$100,000. The Governor said he had ~~made an attempt~~ through the firm of McCurtain and Hale to ~~attempt~~ an investigation into probate conditions but progress had not been as satisfactory as he had hoped. It had developed, however, that one man at one time held as many as 176 guardianships, curatorships and letters of administration, while another firm, consisting of two persons, had about 500 such papers between them. Governor Locke said he had made a contract in September, 1912, with a new firm of attorneys in an attempt to get statistics similar to those collected by Mr. Mott in the Creek Nation.

Asked about the district agents, Governor Locke said he considered their work generally good, although there had been instances where things were handled pretty badly. Some of the agents are not practical and want the Indians to do things that cannot be done. He was emphatic however in saying that his people vastly preferred the district agents to the state authorities in the handling of their matters.

Asked how graft could go largely unchecked, he explained that in the little town of Hugo are forty men practicing law in the railroad business. They as well as the professional guardians are almost all in politics. There are good people but they are too little interested or too busy to give time to Indian matters. The reason the friends of the Indian cannot secure his protection in Oklahoma is simply because the politicians are too well organized and too strong for them. Speaking of the "Snakes" or reactionaries, of whom Governor Locke said his nation had probably 800 to 1000, he expressed the opinion that they were the best element of the tribe, industrious and reliable. Very few of them accept their regular payments from the Government. They send their children to school, although they themselves are not educated.

Turning to the subject of schools, Governor Locke said his nation at present had no definite school policy and that many children were not in school. He cited cases near his home where in one place about 15 and in another place about 55 children were attending no school. Asked why this was the case, the Governor said that a great many of the Indians did not want their children to attend school with the class of whites therein, but that as a matter of fact those Indian children who did try to attend were made uncomfortable and their attendance discouraged, although the opposition to their attendance on the part of the whites was not so openly manifested as in other parts of the country. In the very earliest days before the Government took charge of their affairs, the Choctaws and Chickasaws set apart for school purposes the income from their mineral lands. The present law which has so far been largely evaded, provides that the tribal school shall be sold and the matter closed up. The Choctaws wish something definite done. Most of them are opposed to continuing the schools, and want the money divided. But the full-bloods will never go into the white schools. The Governor advocated some provision whereby from the income of mineral land there will be a permanent fund to maintain Indian schools as long as there are any full-blood Indians there.

The Board adjourned at 1:40 P.M. to meet again at 3.

Friday, January 17,

3:00 P.M.

The Board met at its office. Present: Commissioners Vaux, Walker, Moorehead, Ayer and Knox, Secretary Phillips and Judge

Burch of the Department of Justice. Commissioner Ketcham arrived at 3:20 and remained through the session.

Judge Burch gave a concise account of the steps taken by his Department to prosecute offenders against Indians at White Earth, referring to unusual difficulties with which his men had been confronted, including a feeling of hostility, which at times he said was acute, and the necessity of having some of his men become expert in the Chippewa language in order that the final relationship of some Indians could be accurately determined. He explained that the failure to indict some of the principal offenders on criminal charges was due to a provision in the law that there must be an overt act in the shape of an attempt to secure legal title to lands improperly conveyed. All who had committed the overt act had been indicted, and one suit involving a number of them, had been tried with the result that the court had practically ordered an acquittal, the inference being that the court and one of the jurors had yielded to local influence. It was hoped, he explained, to secure trial of the other cases, if possible, before another judge and at the May, 1913, term.

As to the equity suits, he declared that that very week in St. Louis were being tried before the eighth Circuit Court certain questions which he hoped would furnish a definition of the term mixed-blood. He said a definition that it required one-sixteenth or more white blood to constitute a mixed-blood would enable the Government to win more than half of its equity cases, or if the amount of blood were fixed at one-eighth it would mean the winning of practically all of them. The equity suits he explained affected probably 800 or 900 allottees and about 1500 allotments. Approximately two-thirds of the reservation or 200,000 acres, about two-fifths of which is or was timber land, is affected. The principal timber companies which had cut and manufactured lumber before the prosecutions were instituted had been asked to pay back the value of the timber. The timber that had then been cut but not manufactured they agreed to pay for. Timber since cut on lands affected by the suits it is understood will be paid for at reasonable compensation in the event that title to the land is restored.

Judge Burch was especially emphatic in his declaration that the statute of limitations had not in any case been allowed to run to the detriment of the Indians. He added that the question had arisen in his mind, although he confessed it was probably a hopeless one, whether the United States would not have a right anyway, in spite of such a provision as the Clapp amendment, to bring suit to recover for wrongs perpetrated on any Indians as at White Earth.

Chairman Vaux on behalf of the Board thanked Judge Burch for his statement. The Judge, in leaving, volunteered one suggestion; namely, that in his opinion the Interior Department should be absolutely relieved from the care of the Indian question, and that the Indians, with

A NATIONAL

INDIAN COMMISSION

their vast property interests, should be put in the hands of a commission of wise, strong, intelligent men, giving their whole time to that work, as in the case of the Interstate Commerce Commission, with a reasonable number of assistants to collect information; that the commission should make a study of each Indian reservation just as a trustee studies the estate of his ward. Such a commission should take hold of the work of the Indian in earnest and advise each individual superintendent of officer in charge as to the management of the Indians' affairs. The Board of Indian Commissioners, Judge Burch stated, already has authority and legal existence. If the members of the Board could find it possible to devote their time to the work, of course receiving ample salaries, or if not, if they would retire in favor of men who could spend their entire time, he thought the Board would be especially fitted to become such a national commission.

After Judge Burch had withdrawn, the Board discussed his suggestion, and it was agreed that it might be desirable to consider it further at the next meeting of the Board.

As a quorum of the Board had not been present at the last meeting held at Mohonk Lake, N. Y., on motion of Commissioner Moorehead, seconded by Commissioner Walker, it was,

VOTED: That all action taken at the meeting of the Board held at Mohonk Lake, October 23-24, 1912, is hereby approved.

At this point Commissioner Moorehead was obliged to withdraw from the meeting.

THE CHOCTAWS
P. J. HURLEY

Mr. P. J. Hurley, Attorney for the Choctaws, appeared before the Board and continued the presentation of the case started earlier in the day by Governor Locke. Mr. Hurley said that in competition with the whites, the Choctaw Indians whose restrictions have been and are being removed, are rapidly being swindled of their property and are becoming paupers. It makes no difference, he declared, how many people in the United States wish to help the Indians, so long as there is an avenue through which the Indians can spend their money freely, their friends will be of little avail. He believed the Secretary of the Interior should be divested of power to remove restrictions from the property of any full-blood Indian, and cited the Sac and Fox Indians as an example of the prosperity that follows absolute restriction as to alienation of land. Among the devices adopted by scheming white men, he mentioned that of telling the Indian he is signing a lease when in reality he is signing a warrantee deed. Another is to lease land for one year, have five copies of the lease drawn up and each signed by the Indian and then at the end of each year file one of these copies freshly dated without paying additional lease money.

At this time (4:30 P.M.) Commissioner Eliot arrived.

Mr. Hurley declared that Mr. McMurry, the recipient of the famous fee of some years ago, is trying to lay a basis for another lot of claims in the hope of repeating the performance. He was positive in his opinion that the rolls of the Five Civilized Tribes which had been closed on April 24, 1906, subsequently reopened and again closed on March 4, 1907, should not be reopened, and he termed the pending Harrison bill providing for the enrollment of the Mississippi Choctaws a menace, declaring that if one-half of the Mississippi Choctaws should be enrolled, the Chickasaws and Choctaws of Oklahoma would be deprived of their entire interest in about \$35,000,000 of natural resources. The bill, he explained, had been reported favorably by a House Committee consisting of Representatives Russell, Smith of New York and Miller of Minnesota. Mr. Hurley also referred to the Oweh memorial stating the claim of the Choctaws and Chickasaws to their "leased land" as a document of much interest.

After Mr. Hurley withdrew, Commissioner Ketcham reported a resolution on the subject of mescal which was unanimously adopted as follows:

RESOLVED: That the Board of Indian Commissioners reiterates its recommendation of March 7, 1912 in regard to the use of and traffic in mescal; that it urges the Indian Office to make MESCAL careful inquiry as to the spread of the mescal habit; and that it favors in every way legislation and executive action looking to the total elimination of the evil.

Chairman Vaux announced the appointment of the following committees in accordance with the direction of the Board at an earlier meeting.

Committee on Methods and Work of the Indian Office: Commissioners Eliot, (Chairman) Ayer and Ketcham.

APPOINTMENT OF

COMMITTEES Committee on Publicity: the Secretary of the Board (Chairman) and Commissioners Eliot and Knox.

Chairman Vaux also announced the appointment of Commissioners Vaux, Ayer, Gates and Smiley to be members of the Purchasing Committee for the coming year.

DOCUMENTS FOR The Secretary called attention to the request by the Senate Committee on Indian Affairs; namely, that the Board submit a concise history of its work, including a sketch of its present members, and a justification of its recommendation of SENATE COMMITTEE an increased appropriation for the prevention of disease. It was voted that the Chairman be responsible for the preparation of the documents.

The Chairman read to the Board extracts from a letter written to him by General R. H. Pratt, transmitting startling charges by one James H. Bell, a missionary among the Jicarilla Apaches. The matter was discussed, and the letter left with the Secretary with instructions to write General Pratt that the matter had been receiving the Board's attention.

Commissioner Ketcham referred to certain conditions among the Pueblos which ought at some time to engage the attention of the Board but declared that as the hour was late he would not present the subject. Commissioner Ayer agreed with him that the matter might well be taken up, and it was informally understood that it should be scheduled for discussion at the next meeting.

Certain rumors that an attempt would be made to secure for Oklahoma men the Secretaryship of the Interior and the Commissionership of Indian Affairs under the new administration were discussed, and it was the sense of the Board that it would be desirable in every proper way to urge upon the President-elect the inadvisability of placing the management of Indian affairs in the hands of men, who regardless of their character, must almost certainly be influenced by local surroundings and sentiment in a state where Indian affairs of such magnitude are always in evidence.

The Board then adjourned, at 5:15 P.M., without date, subject to the call of the Chairman.

INDIAN RIGHTS ASSOCIATION,
995 DREXEL BUILDING,
PHILADELPHIA.

TO OUR MEMBERS AND FRIENDS:

The following important article speaks for itself. Will you not promptly write to your representatives in the U. S. Senate, urging that the items referred to shall be restored to the Indian Appropriation bill?

HERBERT WELSH,

Corresponding Secretary Indian Rights Association.

(From the "New York Herald," Jan. 11, 1913)

WILL MAKE STRONG FIGHT IN SENATE FOR INDIANS' RIGHTS

FRIENDS OF THE RED MEN WILL SEEK TO HAVE APPROPRIATIONS REFUSED BY THE HOUSE RESTORED TO THE BILL BY THE UPPER BODY

SENATOR MYERS HAS THE AMENDMENT DRAFTED

HERALD BUREAU, NO. 1502 H STREET, N. W.,
WASHINGTON, D. C., Friday.

Although the House yesterday finished consideration of the Indian Appropriation bill and passed it substantially as reported by the Committee on Indian Affairs, with about \$3,000,000 lopped off from the aggregate sum estimated by the department as necessary, there is great dissatisfaction among the friends of the Indian with the result.

The Indian Rights Association is preparing to make a vigorous fight now that the bill goes to the Senate, for the incorporation of some of the appropriations which the House Committee rejected. The association's efforts will center chiefly about the amendment, voting a reimbursable appropriation of \$250,000 for encouraging industry among the Indians and the attempt to re-insert into the bill the amounts originally asked for combatting infectious disease among the tribes.

To meet the first named necessity a Senate amendment, which has been already drafted, will be proposed by Senator Myers, of Montana, appropriating \$250,000 "for the

purpose of encouraging industry among the Indians and to aid them in the culture of fruits, grains and other crops, to be immediately available, which sum may be used for the purchase of animals, machinery, tools, implements and other equipment necessary to enable the Indians to become self-supporting." Conditions are to be specified by the Secretary of the Interior, under which the appropriation is reimbursable by the Indians on or before June 30, 1925.

Preparatory to the fight which is to be made in the Senate and, if necessary, in the Conference Committee of the Senate and House, S. M. Brosius, Washington agent and legislative representative of the Indian Rights Association, of which organization Joseph H. Choate, of New York, is president, has sent to the secretary, Herbert Welsh, of Philadelphia, a letter in which he says:

INADEQUATE SUMS VOTED

"You know of the efforts of the government in providing funds to promote industry among Indians, the moneys being made reimbursable by the individual beneficiaries; of the great need of the tribes in securing better facilities for prevention of disease and of the vast number of heirship cases which have accumulated and are undisposed of by reason of the insufficient force of clerks.

"It was in 1908 that the first material appropriation was made of a reimbursable fund for Fort Belknap Indians, in which \$25,000 was provided for the purchase of animals, machinery and equipment for Indian farmers in the beet industry and general farming operations. In 1910 \$15,000 was allowed for Tongue River reservation, Montana; \$30,000 was appropriated in 1911 to encourage industry among all our Indian wards, and was made reimbursable.

"The total appropriation for this purpose has not been more than about \$88,000, and this sum has been found to be entirely inadequate to meet the needs of the Indians who are clamoring for such assistance.

"The results of extending aid to Indians in this manner has been highly satisfactory. Allottees are usually unable to meet the greatly increased demands upon them in developing their farms. The aid afforded by these loans of equipment has been appreciated and has been repaid to

a very satisfactory extent, and the funds again invested to aid other applicants having similar needs whenever it could be done under authority of law.

"From reports received by the Indian Office more than \$9,000,000 of reimbursable funds could be used with benefit to the Indians by making these advances in equipment for starting them in farming and other industries. A very large portion of this amount could be made secure for repayment to the government by creating a lien upon the individual property of the Indian beneficiary or upon his interest in the tribal estate, if additional security were deemed necessary. Notwithstanding this large sum which is shown to be needed the department this year urged only that the limited amount of \$250,000 be provided for the purpose of encouraging industries among Indians.

SENATE NOW THE ONLY HOPE

"The Committee on Indian Affairs, House of Representatives, refuses to make any appropriation for this purpose for the next fiscal year. The only hope now remaining for favorable action by the present Congress lies in an appeal to the Senate to provide the money necessary by inserting an item of amendment to the Indian Appropriation act when it is considered by that body.

"Regarding the need of providing greater facilities for promoting sanitation and health of the Indians, the Secretary of the Interior in his annual report states that \$155,000 is necessary for additional hospital work and \$250,000 for general sanitation and medical work. Statistics reported by the Secretary show that of 61,500 Indians examined 8,394 (13.6 per cent.) were suffering from tuberculosis and 9,254 (15 per cent.) were suffering from trachoma.

"Thirty-two per cent. of the deaths reported among Indians were due to pulmonary tuberculosis as against 11.2 per cent. in the registration area of the United States, which includes twenty-one States; and the death-rate from all causes estimated to be 30.24 per cent. among Indians, while it is less than one-half so great in the registration area noted with a population of 54,000,000 people.

"With this appalling condition, showing as it does the necessity for the large appropriation, estimated by the Sec-

retary of the Interior to be \$405,000, the Committee on Indian Affairs of the House refused to increase the allowance over the \$90,000 granted for the present fiscal year.

IMPORTANT TIME FOR INDIANS

"The present is a most important era in the management of Indian properties, following the process of disintegration of the vast Indian reservations by allotment. The great mortality among Indians has created the increased need of an adequate force to promptly determine the heirs of deceased allottees. The Secretary of the Interior is charged by law with the exclusive power to determine heirships. To leave title to allotted lands worth many millions of dollars unsettled and vague through lack of a sufficient force to give proper attention to such cases is clearly detrimental to the best interest of the Indians. The Secretary has shown the need of appropriating \$100,000 to meet this lack of help in office and field force, yet the Committee on Indian Affairs of the House of Representatives has refused to appropriate the money needed excepting \$25,000 available for field work only.

"We fear the action of the House Committee may have been influenced in a marked degree by a desire to reduce appropriations. It seems apparent that no credit can be claimed for a reduction in appropriations if the proper work of the government is crippled in consequence, and, as in the present case, the Indians be the sufferers.

"I fear we will have difficulty in showing that we have not been grossly negligent of our duty toward these wards of the nation, if worthy, industrious Indians are impeded at the threshold of farming and home building by the lack of a loan of farm equipment; or if the ravages of dread disease may not be checked and eradicated by proper medical attention and the result be the decimation if not annihilation of our Indian population, or if titles to deceased allottees' lands are allowed to drag along through the years without being adjudicated for want of an adequate force of employees.

"Do you not think that appeals to United States Senators and others by their constituents would create an interest which would be helpful?"

Department of Archaeology
Phillips Academy
Andover, Massachusetts

CHARLES PEARBODY, HONORARY DIRECTOR
WARREN K. MOOREHEAD, CURATOR

February 3, 1913.

Honorable Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Mr. Ayer:

I shall send you this evening or tomorrow copy of several letters received from Mr. Linnen which explain themselves. These show that he is "on the job" and with the help of our Board and Secretary of the Interior and Indian Office, we can prevent the proposed Red Lake steal, I am certain.

I have also received a long letter from him regarding the investigation of the Indian Office. You are on that Committee. Linnen knows a lot of inside history regarding same, also does Mr. Angus MacColl who has written me a long letter. I am going to Boston this afternoon to see Eliot and show him the Linnen letters and others.

Now regarding archaeology. I know you are busy, getting ready to go abroad. Here is a matter which I will state briefly, as I think your museum should act if possible.

I did not think you could do anything in the matter of the

French collection made by Hauser, but thought I would tell you regarding it as it is a remarkable opportunity.

A couple of months ago, when Dorsey was here, I spoke to him about New England archaeology and pointed out the fact that the Field Museum had one of the greatest collections in the world of Mississippi valley, Great Plains and Pacific coast archaeology, but its exhibit from New England amounted to precious little. I afterwards wrote Dorsey and told him that we had limited funds here, but we had bought all the available New England collections. Since then, we have spent \$1700, all our spare funds, in the purchase of the remaining three collections. At Dorsey's suggestion I sent him over 2,000 of our duplicates and the Field Museum is to remit the cost of same, namely \$425. Putnam's museum at Harvard and the one at Salem and ours have cleaned up New England, and there is no more to be had.

In these three or four collections I have purchased recently are some pipes, rare forms of gouges and other objects which are not found outside of New England. You ought to have a representative collection of these. I would like to ship your museum 1,000 more specimens of the best grades illustrating all the types in use here in New England, thus making your exhibit complete. You can have these for actual cost, viz. - \$1,000. As the collection Dorsey has was billed to him at \$425. and awaits his return from Europe, if your institution takes all these specimens we now have and which we are able to spare, we would make the flat price for

entire exhibit of \$1300. This for the reason that the 2,000 sent him were not high grade specimens, although as New England things are rare compared with the west^{can} they are easily worth the \$425. asked. If the Directors would be interested, I should be glad to pack and ship these 1,000 good specimens if you wish to see them.

It would also help us, as we do not need two or three objects of the same kind through all these varying series.

The collection that we now possess stands in New England archaeology as does your greater Mississippi valley collection compared with what now exists in that region. It would cost you three or four times this sum to send one of your men into New England to collect, and I doubt if he could obtain a tenth part of what I have picked up. "The Man who made them is Dead."

Trusting you will consider this, I am,

Very cordially yours,

P. S. Full data will accompany the shipment.

Later Have returned from seeing Eliot. Gave him Brainerd's letter. He will return ^{same} tomorrow & I'll send it to Vaux.

C O P Y.

DEPARTMENT OF THE INTERIOR
United States Land Office

Cass Lake, Minnesota

February 5th, 1913.

Hon. Warren K. Moorehead,
U. S. Board of Indian Commissioners,
Andover, Massachusetts.

My dear Mr. Moorehead:-

I have your recent letter and also newspaper clippings which you sent, for which I thank you.

There has been a general Indian council of Chippewa Indians of Minnesota held here during the past two days. This council was called by some half-breed named, James A. Coffee, a member of the Fond-du-lac band from Croquet. The object of said meeting was stated to be to formulate and perfect an organization and to incorporate, and that certain members of said corporate body, to be thereafter designated, would control the action and destinies of the various Chippewa bands. Delegates were elected at councils held on the various reservations, and there were delegates here at said convention from Red Lake, Leech Lake, White Earth, Fond-du-lac and other Chippewa reservations. From White Earth the same old crowd was present viz. Clem Beaulieu, the preacher, brother of Gust, Ben Fairbanks, Henry Potter, George Berry, the blacksmith, Mr. Ca June, the painter, one of the Warrens, etc. The same old mixed breed bunch who pack all conventions or councils of the Indians, and this time they came as delegates with credentials from some source. From Pine River, Jim Bassett and "Shorty" came without credentials. From Red Lake, most of the delegates were mixed bloods, as also from Fond-du-lac and other points. Quite a few of the full bloods took an interest in the matter, and came here to see what was being done, among whom was Geo. Walters of White Earth.

Of course this council meeting was called without any authority, and was called by half breeds, whose purpose was likely to have delegates come and pass some sort of resolutions to try and impress Congress and the Department to do

certain things, which certain things would undoubtedly be something in favor of the mixed bloods, or the white grafter or lumber companies, to defraud the full bloods.

I attended said council as a spectator, and from the start it was very noticeable that there was a bitter feeling and fight on between the full bloods and the mixed bloods. The mixed bloods were smart enough to secure the organization, that is, the chairman, secretary and interpreter; then the chair appointed a committee on credentials, which committee of course was composed of a gang of half breeds who are opposed to the full bloods, and they passed on the seating of the delegates, which was in affect, the seating of the mixed bloods and largely the unseating of the full bloods.

There was a great deal of talk and speeches made by the full bloods, and by the mixed bloods, each party strongly condemning the other. There was no harmony, and the council broke up in a row and accomplished nothing. The full bloods all left the hall when they discovered the tactics of the whole gang of mixed bloods, which was the same as ever. Thus you will see that there is a very strong line up as between the full bloods and the mixed bloods, and I believe the feeling of animosity toward each other is growing stronger each day. I was very glad to meet Geo. Walters, Jim Bassett, "Shorty" and others of our friends from White Earth. I had a long talk with them, and they all send their kindest regards and best wishes to you. They say that your name is a household word on the White Earth Reservation, and the full bloods say there are but three men whom they will trust, and those men are James M. Graham, yourself and myself. Jim Bassett and "Shorty" had no funds, even to pay for their lodgings and meals here, so I let them have some money. It appears that these poor fellows walked from their homes to the railroad and borrowed money to buy railroad tickets to get here, to represent the interests of the full bloods.

I also met the Indian from Leech Lake who wrote you complaining that Superintendent Giegoldt did not pay his children their annuity money, and from him and

other Indians of Leech Lake, I have secured a good deal of information which is unfavorable to that Superintendent. I have written to him asking for a copy of his instructions from the office relating to said annuity payment. If he is acting under orders from the office in refusing to pay certain school children, he cannot be blamed, but if he has not orders to back him up in what he has done, he will be in a bad boat.

By the way, Nathan J. Head and his bunch of delegates have returned from Washington. He claims he could not accomplish ^{anything} because of the "Dam Moorehouse and Inspector Linnen who blocked everything". Well this sounds good to me, and I know it will to you, for it appears that they have no hope of getting that legislation through to cut the timber on that fifty thousand acres of which I have heretofore written you.

I was much interested and pleased in the articles you had published in the New York Herald, showing how the Indians have been dealt with. Of course while I am given the credit for some of the things I didn't do, the effect of the publication will do good. I see you are working the press bureau which your board established in very good shape, and it will have a far reaching and good affect.

I find that the Indians on Leech Lake do not like their Superintendent Mr. Giegoldt. They claim that he does not listen to them or hear their complaints, or talk with them, and that he is very much opposed to the full bloods, and favors the mixed bloods. In consideration of all I learned, I think he should at least be transferred to some other point.

I have not received any further instructions from the Secretary as to any further work up here, but I have gone ahead without instructions, and looked into certain matters and conditions, and visited the Cass Lake Mission School, and did other things. I was glad to be here during this council and meet the Indians from Red Lake and other reservations.

I hope you and your board and the Indian Rights Association will use your best efforts to have Gust Beaulieu and that gang of mixed bloods, who have been defrauding the Indians, stricken from the White Earth tribal rolls. That is the thing that should now be accomplished in the best interests of these Indians, because, as you well know, they are the ones who have been stirring up the strife and turmoil, and have been robbing and defrauding these Indians and have been leeches and parasites sticking to them for the past forty years.

With relation to my possible appointment as Commissioner of the General Land Office, I have to say, that several of my friends have been strongly urging me for that place, and have been writing many letters to prominent people in my behalf. It is a kind of endless chain that has been going the rounds among the special agents of the land department and my friends in general, but I have had no hand or voice in said matter. The fact is I had not sought the place, but I have done nothing to prevent them in carrying out what they believe was in my best interests. I have felt that all of these letters of commendation and recommendation to prominent men, such as senators, congressmen, and even to President Wilson and Vice President Marshall, would do me no harm, and I thank my friends for their good intentions, even if nothing comes out of it. I have felt that I will be as strong and have as much or more power with the incoming administration, which if given me, you may well know will be used in the right direction to accomplish good.

When you see Mr. Allen remember me in much kindness to him.

With kindest regards, I am

Very cordially yours,

Signed: E.B.Linnen

U.S. Inspector.

Chicago, February 6th, 1913.

Mr. C. R. White,
Box No. 161,
Naples, Mo.

Dear Sir:-

Yours received this morning.

Of course this is a matter that can only be taken up by the Commission as a whole and I have forwarded your letter to Mr. Moorehead with the request that it be referred to the President of the Board.

Yours very truly,

A handwritten signature in dark ink, appearing to read "E. H. Cuyler". The signature is written in a cursive style with a large, prominent initial "E".

Chicago, February 6th, 1913.

Mr. Warren K. Moorehead,
Andover, Mass.

Dear Mr. Moorhead,-

I enclose herewith letter from Mr. C. R. White, of
Naples, Maine, which explains itself. I have written Mr. White
advising him that I have referred his letter to you and that you
would answer his questions.

Yours very truly,

Edw. K. Rynd

Chicago, February 6th, 1913.

Dear Mr. Moorehead,-

I have yours of February 3rd and contents noted. When was the change made of scaling the logs and buying the timber on the Government estimates and about how much was sold on the Government estimates as far as you have it in mind?

I see this extract of records of William O'Neil only dates 1910, 1911 and 1912, then farther down you give the amount cut by the Standard, Burlington and St. Louis River companies for 1903 and 1904 and the Government estimates on that.

Was this timber scaled and did the Indians get pay for the over-run of 150,000,000 and upwards? If so, this would indicate that the principle of scaling the logs dated back that far.

Dorsey is still East and I will take up the matter of New England archaeology with him when he returns.

Yours very truly,



Mr. Warren K. Moorehead,

Andover, Mass.

C O P Y.

Department of the Interior
United States Land Office

Cass Lake, Minnesota
February 7, 1913.

My Dear Moorehead:

Enclosed please find some data on the recent Chippewa Council. Also note copy of resolution condemning Hinton and Harper, because, forsooth, they put the Indians wise to the methods of the crooked mixed-bloods and told them what to expect -- which came out true. I forgot to tell you that our old interpreter, Chas. Moulton, was also here playing in with the gang of mixed-bloods from White Earth and drunk.

From the Supt. Giegoldt at Onigum I learn that he has not paid 205 minors and orphans and children the \$75. paymt. He claims his instructions were to this effect I do not so interpret them. The Indians have had a council and signed a big petition to get him transferred or out. I have a copy. They dislike him very much. Claim he is against the full-bloods, &c.

No further instructions from Seey and I am now through here. Best regards.

Sincerely,

Signed: E.B.Linnen
Insp.

Oh! yes, I have learned that they are logging some burned Dist. in Red Lake Res. Rather small area, but enough to bring the Indians about \$30,000.00 at stumpage at \$5.50 per M - bank scale. Should bring about \$14. to \$16 for white pine. Learn also that N. J. Head is doing the scaling of these logs. He may be honest in this, but I would think if the Lumber Co's pay his and delegations way to Wash. to lobby in their interests, they would get the best of the scale. Lumber Co's logging this timber are the Thief River Lumber Co.- Crookston Lumber Co. Learn they only pay \$5.50 per M for white and Norway pine. The white is worth at least \$15. per M in the log.

E.B.L.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
February 7, 1913.

Hon. Edward E. Ayer,
1515 Railway Exchange Bldg.,
Chicago, Ill.

Amund
2/11

My dear Commissioner Ayer:

The Senate Committee will report the Indian Appropriation Bill with \$10,000 for the Board of Indian Commissioners. The item will probably pass the Senate. It will doubtless be opposed in conference. The Senate conferees will probably be Senators Gamble, Clapp, and either Chamberlain or Owen. The House conferees will doubtless be Representatives Stephens, Ferris and Burke.

I believe you can help very much by writing as soon as possible to as many of these probable conferees as you may think best. As one of the new members of the Board, you could doubtless help by calling attention to your impression that the Board is trying to become more active, and also to the fact that it now includes a considerable percentage of new blood. It seems to me that these two things must appeal somewhat to men who have been criticising the Board on account of inactivity and superannuation.

I give below the names of the above mentioned gentlemen, indicating in parenthesis after each, his probable attitude toward the increased appropriation for the Board.

Hon. Robert J. Gamble, Chairman, Committee on Indian Affairs, The Senate, Washington, D.C. (Attitude not known. Home, South Dakota. Republican).

Hon. Moses E. Clapp, The Senate, Washington, D.C. (Attitude apparently unfavorable. Home, Minnesota. Republican).

Hon. Robert L. Owen, The Senate, Washington, D.C. (Attitude unknown. Part Indian. Home, Oklahoma. Democrat).

Hon. George E. Chamberlain, The Senate,
Washington, D.C. (Attitude apparently slightly favorable.
Home, Oregon. Democrat).

Hon. John H. Stephens, Chairman, Committee on
Indian Affairs, House of Representatives, Washington, D.C.
(Attitude probably very unfavorable. Home, Texas.
Democrat).

Hon. Scott Ferris, House of Representatives,
Washington, D.C. (Probably unfavorably inclined. Home,
Oklahoma. Democrat).

Hon. Charles H. Burke, House of Representatives,
Washington, D.C. (Probably favorable, Home, South Dakota.
Republican).

Representative In the cases of Senators Gamble, Owen, Chamberlain,
and Burke it might be well to request them to hold out as
much as possible against opposition to the item. The
trouble last year was not that the Senate did not put in the
increase but that the Senate conferees apparently made no
effort to stand up for it and it went out almost of its
own weight. Senator Clapp wrote Mr. Vaux intimating that
he would make no effort to defend the item in conference,
and Mr. Stephens and probably Mr. Ferris will be disposed
to make a decided effort to cut it down.

I have had several talks with Father Ketcham on
this subject, and he also believes you can help in this
way. He is personally doing all he can at this end.

Very sincerely yours,

W. H. Phillips
Secretary.

PHILLIPS ACADEMY
DEPARTMENT OF
AMERICAN ARCHAEOLOGY

CHARLES PEABODY, HONORARY DIRECTOR
WARREN K. MOOREHEAD, CURATOR

ANDOVER, MASSACHUSETTS. February 8, 1913.

Honorable Edward M. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

Dear Mr. Ayer:

I have your favor of recent date enclosing letter from Mr.
C. E. White. I will take up this matter in a day or two.

Thanking you and with best wishes, I am,

Very cordially yours,

W. K. Moorehead

*Mr. Locke
for information
only H.H.*

Oklahoma City (Okla.) Oklahoman.

CHOCTAW AFFAIRS ARE SIZZLING NOW.

Washington, Feb. 9.--Affairs in the Choctaw nation are sizzling just now. Not only is another Washington attorney for the tribe to be named under the new administration, but it is rumored in Washington, that charges will be preferred against Victor M. Locke, Jr., principal chief of the nation, looking toward his ouster. In case an attempt is made to place a new chief at the head of Choctaw affairs, all sorts of complications will arise.

Chief attention now is being directed toward the selection of a new attorney, who will assist Pat J. Hurley in handling the affairs of the tribe in Washington. This job pays \$5,000 a year and all expenses and there is not an attorney in the eastern section of the state who would not like to have the place for the next four years, or longer.

Not only officials of the tribe, but citizens of the Choctaw nation as well have in the past few weeks advanced the names of several men, while the members of the Oklahoma delegation in Congress have been asked to lend their support to first this man and that one.

Two Leading Candidates.

At the present time W. F. Semple of Durant and C. E. Dudley of Antlers, are active candidates for the place, with Semple apparently in the lead. Several members of the delegation believe that he would make an excellent man for the place. It is understood that Chief Locke favors the selection of C.E. Dudley, if only one man is chosen, but it is declared that Mr. Locke prefers that the work be divided up among the three attorneys in Washington, each of the new men to receive \$2,500 each. This plan, however, is not favored by members of the delegation in Congress, the argument being advanced that this would make the job attractive to only those men who might not be thoroughly efficient in the practice of law.

Their argument and position was borne out in the case of D. H. Linebaugh of Atoka. Several members of the congressional delegation were strongly in favor of Linebaugh and he came to Washington to sound out the situation. On arrival here, he learned of the movement to place the affairs of the Choctaws in the hands of three men and immediately decided he would not take the position under any circumstances, at the reduced salary. Since Linebaugh has dropped out of the race, the fight narrows down to Dudley and Semple.

Charge Against Locke.

If, as is rumored, charges of using his office for political purposes, using tribal funds for political purposes and incompetency are filed against Mr. Locke with his subsequent removal, there might

be another vacancy in the list of tribal attorneys in Washington for it is believed, although not known definitely that Pat J. Hurley would step down. It is understood here that the enemies of Locke, who is a republican, now are actively engaged in formulating their charges against him.

Hurley, although a republican, probably is one of the most efficient and popular attorneys the Chactaws have had in Washington. He bears the good will of department officials, members of the Oklahoma delegation in Congress and not only is a worker but has made his efforts count for the best interests of the Choctaws. The members of the delegation, it was declared today by one of them, would regret to see Hurley go, and even though Locke may be placed under fire and eventually ousted, efforts will be made to persuade Hurley to retain his post. The question as to whether a second attorney would have to be chosen within the next few months would rest entirely upon Hurley's voluntary and final action. During his incumbency in office Hurley has steadfastly refused to play partisan politics at any time, devoting his attention chiefly to Choctaw business. This has made a favorable impression upon the Congressmen and therefore they would like to see him retain his position, even though he may be opposite political faith.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
February 10, 1913.

Hon. Edward E. Ayer,
1515 Railway Exchange Bldg.,
Chicago, Ill.

My dear Commissioner Ayer:

In writing you the other day I mentioned as ^{the} probable House conferees on the Indian Appropriation Bill, Representatives Stephens, Ferris and Burke. I have just learned that Representative Charles D. Carter of Oklahoma, part Indian and a Democrat, will probably take Mr. Ferris' place on the conference committee. It might therefore be well to write him instead of Mr. Ferris, although a letter to the latter would be in any way undesirable as he exercises a large influence in Indian matters in the House of Representatives. Incidentally in talking with Mr. Carter I find he is not inclined to be over friendly to the Board although I think his opposition proceeds more from ignorance of ^{its} ~~this~~ work and possibilities than from anything else.

Very sincerely yours,

A. C. Phillips
Secretary.

Feb 11. 1913

Edward E. Ayers.
Railway Exchange Bldg.
Chicago.

I have esteemed favor of 6th inst received
I hope to return favors for favors
received as I shall be in a
position to do - If my appointment
referred to the President of the Board
of Indian Affairs Commission is
favorably received;

For which I thank
you Most Sincerely,

Charles Ross White.

Naples, Maine.

Chicago, February 11th, 1913.

Dear Mr. Phillips,-

I have written the following letter to Senators Gamble, Owen, Chamberlain and Representatives Burke and Stephens, which I sincerely trust will do some good.

"I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House be put back.

"We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

"I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners."

Yours very truly,

Edward A. Tamm

Mr. H. C. Phillips, Sec'y.,

Board of Indian Commissioners,

Washington, D.C.

Chicago, February 11th, 1913.

Hon. Robert J. Gamble,
Chairman, Committee on Indian Affairs,
The United States Senate,
Washington, D.C.

Dear Sir:-

I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House be put back.

We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners.

Yours very truly,

Edw. Coyne

Chicago, February 11th, 1913.

Hon. Charles H. Burke,
House of Representatives,
Washington, D.C.

Dear Sir:-

I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House be put back.

We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners.

Yours very truly,

E. D. [unclear]

Chicago, February 11th, 1913.

Hon. John H. Stephens,
Chairman, Committee on Indian Affairs,
House of Representatives,
Washington, D.C.

Dear Sir:-

I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House be put back.

We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners.

Yours very truly,

Wm. H. Hays

Chicago, February 11th, 1913.

Hon. Robert L. Owen,
The United States Senate,
Washington, D.C.

Dear Sir:-

I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House be put back.

We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners.

Yours very truly,

Chicago, February 11th, 1913.

Hon. George E. Chamberlain,
The United State Senate,
Washington, D.C.

Dear Sir:-

First, I want to thank you for your extreme courtesy to our Commission when they appeared before you on the Indian appropriation. I would not have accepted appointment on the Indian Commission had I not thought it was possible to do good work and much of it in the interest of the Indians, and you can readily see how perfectly impossible it is for our Commission to do anything with the small allowance of \$4,000.00 the House put in the appropriation. There were three new members showed up on this Commission this year and they were all earnest and enthusiastic in the possibilities of the work if we were not handicapped by the lack of funds.

It certainly seems to me, Senator, that \$10,000.00 is little enough for ten gentlemen to have the use of who are willing to devote much of their time and energy in the interest of the Indians, and I sincerely hope that you will be able to retain the entire amount in your conference with the House.

Yours very truly,

Chicago, February 11th, 1913.

Hon. Robert L. Owen,

The United States Senate,

Washington, D.C.

Dear Sir:-

I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House be put back.

We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners.

Yours very truly,

Edw. E. Eager

Chicago, February 11th, 1913.

Hon. Charles H. Burke,
House of Representatives,
Washington, D.C.

Dear Sir:-

I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House be put back.

We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners.

Yours very truly,

29

Chicago, February 11th, 1913.

Hon. John H. Stephens,
Chairman, Committee on Indian Affairs,
House of Representatives,
Washington, D.C.

Dear Sir:-

I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House be put back.

We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners.

Yours very truly,

W. C. C.

Chicago, February 11th, 1913.

Hon. George E. Chamberlain,
The United State Senate,
Washington, D.C.

Dear Sir:-

First, I want to thank you for your extreme courtesy to our Commission when they appeared before you on the Indian appropriation. I would not have accepted appointment on the Indian Commission had I not thought it was possible to do good work and much of it in the interest of the Indians, and you can readily see how perfectly impossible it is for our Commission to do anything with the small allowance of \$4,000.00 the House put in the appropriation. There were three new members showed up on this Commission this year and they were all earnest and enthusiastic in the possibilities of the work if we were not handicapped by the lack of funds.

It certainly seems to me, Senator, that \$10,000.00 is little enough for ten gentlemen to have the use of who are willing to devote much of their time and energy in the interest of the Indians, and I sincerely hope that you will be able to retain the entire amount in your conference with the House.

Yours very truly,

Samuel G. May

Chicago, February 11th, 1918.

Hon. Robert J. Gamble,
Chairman, Committee on Indian Affairs,
The United States Senate,
Washington, D.C.

Dear Sir:-

I had the honor of appearing before your Committee as one of the members of the Indian Commission and requested that the appropriation of the amount requested by the Secretary of the Interior that had been cut out by the House, be put back.

We have three new members on the Indian Commission now and we want to do our duty and lots of it, but we cannot be of any service with an appropriation of only \$4,000.00; \$2,500.00 of which goes to the Secretary, \$300.00 for rent, \$400.00 for their stenographer and \$500.00 for publishing reports, leaving \$300.00 for the expenses of the Commission in examining supplies, visiting the different reservations in case of trouble and all that sort of thing.

I sincerely hope you will be able to retain the \$10,000.00 recommended by your Committee and can assure you that the work will have the earnest attention of the Commissioners.

Yours very truly,

Chicago, February 11th, 1913.

Mr. Grant Foreman,
220 Metropolitan Bldg.,
Muskogee, Okla.

Dear Sir:-

I received the magazine forwarded by you with your article on the Indian affairs in Oklahoma and I thank you most sincerely. Certainly the poor Indians in your State need a lot of assistance by earnest and honest men.

Yours very truly,

E. J. [unclear]

Chicago, February 11th 1913.

Father
Dear Fr. Ketcham,-

I have your late favor and I thank you most sincerely. I also received the letter asking me to write to the members of the different committees this morning. I have written five or six letters and I hope it may do some good.

I shall leave in about a week for Europe and will not be back until the middle of June. I sincerely hope you will find it convenient to spend a couple of weeks with me at my summer home at Lake Geneva, Wisc., this coming summer.

Very sincerely yours,

Edgar

Father
Fr. William H. Ketcham,

1326 New York Avenue,
Washington, D.C.

Department of Archaeology
Phillips Academy
Andover, Massachusetts

CHARLES PEARBODY, HONORARY DIRECTOR
WARREN K. MOOREHEAD, CURATOR

February 11, 1913.

Honorable Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Mr. Ayer:

I have yours of February 6th with reference to questions regarding the scaling of timber by O'Neil. I am not very familiar with these operations, but have sent your letter to Honorable E. B. Linnen, Inspector. He will answer you in detail, as Linnen knows practically everything. If his letter reaches Chicago after you have left, if you leave word with your Secretary to forward same, you will be interested to read it when abroad.

I have written to Dorsey and suggested that rather than trouble him with a "long-winded" letter of description of the collection, that I ship him the objects and he can add them to those already on hand and pass upon the sum total. The collection already sent was low priced although it contained a great many things and they were not high grade. Therefore it would be much better for me to send him all the good things that we can spare from this region. If he does not want them after he has inspected,

I can use them with the Carnegie Museum at Pittsburgh.

I trust you will have pleasant and profitable trip abroad. I am trying to arrange to leave here and trust my family will be able to spare me early in March to go to Oklahoma. The situation is much worse there than in Minnesota. I have written to several Superintendents to secure information.

Very cordially yours,

Waverly K. Moorhead

BOARD OF INDIAN COMMISSIONERS,

Washington, D. C., February 11, 1913.

To Members of the Board of Indian Commissioners:

At the request of the
Acting Commissioner of Indian Affairs the following is submitted:

On February 10, the Senate conferees on the legislative executive and judicial appropriation bill (H.R. 23680) reported to the Senate that they had been unable to agree with the House conferees on certain items, including Senate amendments 147-156 inclusive, which amendments affect clerks in the Indian Office.

In brief, the bill as it passed the House reduced the present force of the Indian Office by 8 clerks with salaries varying from \$2000 to \$900. This reduction being made in the face of department estimates asking for twenty or more additional clerks. The Senate restored the 8 clerks and provided for bringing in from other branches three clerks, one of whom was already performing work in the office, which would leave the Indian service in its present status in numbers and salaries. The House conferees have not accepted the Senate amendments and the Senate conferees have not withdrawn, resulting in a report of no agreement and the prospects that the bill will be sent back to conference.

The clerks affected are all of the clerks of the corresponding salaries employed in connection with the offices of the Commissioner and his assistants. Therefore the Indian Office is especially anxious to have all legitimate pressure brought to bear in favor of the Senate amendments.

The House conferees were J. T. Johnson of South Carolina, Democrat, Chairman; A. S. Burleson of Texas, Democrat; Frederick H. Gillett of Mass., Republican. The Senate conferees are F. E. Warren of Wyoming, Republican, Chairman; George P. Wetmore of Rhode Island, Republican; and Lee S. Overman of South Carolina, Democrat. The Acting Commissioner of Indian Affairs is especially desirous of having pressure brought to bear on the House conferees, and asks that any member of the Board who feels he can properly do so, will immediately send telegrams to one or more of these conferees supporting the Senate amendments.

It is realized that this letter will not reach some members in time to be of service, in the case of those members it is sent merely for information. Any action taken should be within two or three days.

H. C. Phillips
Secretary.

Copy.

Law
92014-1912
E B M

DEPARTMENT OF THE INTERIOR.
WASHINGTON

December 13, 1913.

H. R. 26680.

Hon. John J. Fitzgerald,
Chairman, Committee on Appropriations,
House of Representatives.

Sir:

The Legislative, Executive and Judicial Bill for the fiscal year 1914, H. R. 26680, as reported to the House of Representatives on December 4, 1912, by Mr. Johnsons of South Carolina from the Committee on Appropriations, shows that the present clerical force of the Indian Office has not been provided for and that if the bill is finally enacted as introduced it will be necessary to drop from the rolls eight clerks now employed in that Office.

Section 1 of the Act of June 25, 1910 (36 Stat. L., 855) makes it the duty of the Secretary of the Interior to determine heirship cases of deceased Indian allottees under the jurisdiction of this Department. It is estimated that there are about thirty thousand Indian heirship cases at the various Indian Agencies and more than eight hundred cases now pending in the Indian Office, which will require a large amount of work at the agencies, in the Indian Bureau, and in this Department.

In addition to the large amount of heirship work required of this Department by Section 1 of the Act of June 25, 1910, supra, that Act devolves upon the Indian Office and this Department a very large amount of work not heretofore required by law, and no additional appropriations have been provided by Congress to aid the Department in carrying out the provisions of this law.

Because of the breaking up of tribal relations and the making of individual allotments, the necessary work of the Indian Office has largely increased during recent years without a corresponding increase in the number of employees. For example: the increase of work in 1912 over 1899 was 259.71 per cent. while the increase in employees in the Indian Office for 1912 over 1899 was only 121.76 per cent. The number of letters received in the Indian Office during 1912 was 222,187, while the letters received in that Office for the fiscal year 1911 was 209,456, showing an increase for the year 1912 of 6.07 per cent. The number of letters received in the Indian Bureau during the year 1899 was only 61,767.

It will be seen, therefore, if the work of the Indian Bureau is to be kept current, it is very essential that the clerical force of that Office be increased in accordance with the estimates heretofore submitted to Congress.

The clerks of the Indian Office during the last year did a total of 1555 days of over time work voluntarily, in order to keep their work as nearly current as the limited force would permit. To further reduce the clerical force in the Indian Office in the face of the large amount of over time now being done in that Office and the increased amount of work necessary to be done by the Indian Bureau because of the breaking up of tribal relations and the individualizing of Indian property, would be a distinct injustice to that Bureau and would result in crippling the Indian Service and materially decreasing the efficiency of that Service, with the resulting lack of protection to the property of the Indians who are wards of the Government, and who are dependent upon the Government for protection. It should be remembered that a large number of these Indian wards are minors and women and aged and decrepit Indian men, who are wholly incompetent to protect their property rights.

If the committee and the Congress are not disposed to grant the increased number of clerks for the Indian Bureau, requested in the Estimates, which are most seriously needed, I have the honor to urgently request that the clerks connected with allotment work and provided for in H. R. 26680, page 95, lines 23 to 25 inclusive, be increased as follows:

Eight instead of five clerks of class four; seven instead of four clerks of class three; and fourteen instead of twelve clerks of class one. This would make the item for Allotment work in the Indian Bureau read as follows:

Expert accountant, \$2,000; clerks - eight of class four, seven of class three, three of class two, fourteen of class one, eight at \$1,000 each, five at \$900 each (formerly copyists).

Respectfully,

(Signed) Walter L. Fisher

12-ESM-7

Secretary.

The Bureau of
Catholic Indian Missions
Washington, D.C.

1326 NEW YORK AVENUE.

Feb. 12, 1913.

Hon. Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.

Dear Mr. Ayer:-

Believing that you will be interested in what we, as a missionary organization, are doing for the Indians, I am sending you, under another cover, copies of several of our Bureau publications.

As we do not issue our detailed report every year, the report for 1910 is the last out. It serves to indicate the extent of our work.

With kindest regards to Mrs. Ayer, I beg to remain,

Very faithfully yours,

Wm. H. Ketchum
Director.

Chicago, February 12, 1913.

Dear Mr. Phillips,-

I wrote to Hon. Carter and Hon. Ferris as you requested this morning.

Yours very truly,

Edw E. Ayer

Mr. H. C. Phillips, Sec'y.,

Board of Indian Commissioners,

Washington, D.C.

Chicago, February 12th, 1913.

Hon. Charles D. Carter,
House of Representatives,
Washington, D.C.

Dear Sir:-

You, of course, know that the House of Representatives voted \$4,000.00 for the Indian Commission, that it was raised to \$10,000.00 by the Senate and we are sincerely in hopes that the House will concede to that amount in the Conference Committee.

I feel, Mr. Carter, that the Indian Commission can do great good to the Indian race if they have money enough to visit the reservations and keep in touch with the wants of these poor people and what they should have.

I certainly should not have accepted a place on the Commission and would not stay on it if I thought I could not be of great service. I have had quite an experience from my youth with the Indians of our country, having crossed the plains in '60, served during the war in Arizona and New Mexico and since that time have collected the largest library on the North American Indian that has ever been gotten together, which I have presented to the Newberry Library here, spending something like over one-half million dollars on the subject. I have also been the President or Chairman of the Administration Committee of the great Field Museum here for twenty years and, of course, have been brought very intimately in connection with all the tribes of North America through our purchases of their paraphernalia, etc.

I am exceedingly anxious to be useful on this Commission and

#2.

will say that both the new blood and the old exhibited the same intense interest in our meeting in Washington, but, of course, unless we are reasonably well supported, it is useless, and the quicker the Indian Commission goes out of existence the better it will be for them.

I have sent a copy of this same letter to Honorable Scott Ferris.

Very sincerely yours,

Edgar E. Ayer

Chicago, February 12th, 1913.

Hon. Scott Ferris,
House of Representatives,
Washington, D.C.

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Very sincerely yours,

Edw. E. Ayer

BOARD OF INDIAN COMMISSIONERS

OFFICE REPORT

January 4 to February 13, 1913, inclusive.

To Members of the Board of Indian Commissioners:

Legislation

Indian legislation has centered in the Indian Appropriation Bill (H.R. 22874) copies of which, as reported to the Senate, are sent under another cover. There are also sent copies of hearings numbers 1, 2 and 3 on the bill before the Senate Committee.

Some features of the bill of particular interest to members of the Board are:

Suppression of liquor traffic, page 4, line 5. It will be noted that the language has been modified to cover mescal. This was done at the suggestion of the Acting Commissioner of Indian Affairs to whom was sent the resolution on the subject of mescal at the last meeting of the Board.

Health work, page 4, line 6. The Indian Office compromised at \$200,000 in consideration of the additional amendment (page 4, line 14), appropriating \$300,000 for hospitals.

Expenses of Board, page 8, line 11. References to this item will be found in the hearings, pages 3-20 and page 231. The sketch of the Board's work, prepared by Chairman Vaux in accordance with the invitation of the Committee, does not appear to have been printed although it was duly prepared and submitted to the Committee.

Navajo schools, page 15, line 24. This is the same item which failed last year.

White Earth, page 22, line 4. This embodies the substance of a bill introduced by Congressman Steenerson of Minnesota. Commissioner Moorehead questioning its wisdom, an investigation was made by the Secretary with the result that it appeared that the bill had the approval of the Interior Department and the Department of Justice, several clauses having been added at the suggestion of those Departments, notably lines 17 and 18, page 22 and lines 13-17, page 25.

Fort Sill Apaches, page 38, line 20. The amendments are as suggested by the Indian Office. It is very likely that the second proviso relating to white men will go out on a point of order and it is understood that the Senators from Arizona and New Mexico will, if possible, defeat the whole paragraph in an attempt to delay or prevent the moving of any of the Fort Sill Indians to their states.

District agents in Oklahoma, page 39, line 15. The increased appropriation would provide for the continuance of the protection heretofore furnished by district agents.

Oklahoma schools, page 42, line 6. This is in line with the opinion of Chairman Vaux expressed by him to the Board and referred to in the Board's last report.

Conferees. It appears that when the appropriation bill goes to conference the House will be represented not by Representatives Stephens, Ferris and Burke as last year, but in place of Mr. Ferris will be Mr. Charles D. Carter, Democrat, of Oklahoma. The Senate conferees are not definitely known but Senators Gamble and Clapp will probably be two of them the third place going probably to Senator Owen of Oklahoma or to Senator Chamberlain of Oregon.

Report of Public Health Service.

Late in January officials of the Public Health Service submitted to Congress a report on health conditions among Indians. This report is exhaustive as regards trachoma although as regards tuberculosis the field was less thoroughly covered. It contains very interesting recommendations and fully bears out the need for greater increased medical and hospital facilities. The report has been submitted and is being printed as a Senate document, but copies are not yet available. It is hoped that they can be sent within a few days.

The Pimas.

The Committee on Expenditures in the Interior Department, through a subcommittee which last year took testimony on the Pima Reservation, has issued a report severely criticising and recommending the temporary removal of Samuel Adams, Assistant Secretary of the Interior, F. B. Newell, Director of the Reclamation Service and Supervising Engineer L. C. Hill. The report is being printed and copies will be sent as soon as possible.

Investigation of Indian Office.

There are sent under separate cover copies of the report of the Committee on Expenditures in the Interior Department in the matter of the investigation of the Indian Office. This is the report that had just been submitted at the time the Board met in January.

Pueblo Lands.

Much interest is being aroused in the attempts of certain Pueblo Indians, alleged to be a large majority, to deed their lands to the United States to be held in trust for twenty-five years or longer. A large delegation of Pueblos is now in Washington, and on February 13th were given a hearing before the Senate Committee. On their behalf it is alleged that they do not know the value of land in money and that under the new state government are very likely to be parted from their land without sufficient consideration; that they desire to have the Government take over their lands in order that the lands by becoming "Indian country" may be subject to the Federal laws relating to intoxicants, it being alleged that local sentiment renders violators of the state liquor law practically immune from punishment; that such action would avert the danger arising from taxation of their lands which may at any time be imposed by the state legislature and which they allege would result in the sale of their lands for delinquent taxes. Three of the pueblos (villages) have already deeded their lands to the United States under the conditions above named, and have sent the deeds to Washington for acceptance. It is said that the great majority of the remaining villages are ready to do so.

The New Mexico delegation in Congress, particularly Senator Catron, protests that the Government has no right to take over lands belonging to the citizens of any state without the consent of that state; that the Pueblo Indians are able to look out for themselves; that their sole object is to avoid just taxation in future; and that the state laws are adequate for the effective protection of the Indians against liquor.

The Southern Utes.

About the middle of January a number of the Southern Utes located in Colorado took to the mountains rather than deliver to the authorities one of their number charged with participation in a shooting affray. The reports of the Superintendent to the Indian Office indicate that the newspaper accounts of the affair were greatly overdrawn and that there is every prospect that the movement resulted from a misunderstanding which can probably be cleared up without bloodshed. As yet no one has been hurt and while the Indians are supposed to be still in the mountains they are not being pursued with a view to forceful capture.

Leech, Red and Cass Lakes.

Owing to illness of his wife, Commissioner Moorehead has not yet been able to start for Minnesota to make the investigation authorized at the recent meeting of the Board. It is understood, however, that Inspector Linnen of the Interior Department, in whom Commissioner Moorehead has full confidence, is or soon will be on the reservations in question and Commissioner Moorehead hopes to go as soon as Mrs. Moorehead's condition permits him to leave.

The Jicarilla Apaches.

It appears that the Board acted wisely with reference to the complaints brought before it at the recent meeting. Commissioner Ketcham has heard from some of his acquaintances in that region, one of whom, Father Weber, a missionary among the Navajo who is in touch with missionaries from near the Jicarilla Apaches, told the Secretary on February 13th that he did not believe any actual suffering existed there.

Five Civilized Tribes.

There are enclosed copies of a letter written to Commissioner Ketcham by Mr. Grant Foreman of Muskogee, Oklahoma. Commissioner Ketcham referred the letter to this office thinking that although it contains nothing new it would nevertheless be of interest to the members as showing a local view of the district agency problem.

The matter of district agents is also treated at considerable length in the Senate hearings sent under another cover, especially pages 126-177.

Minutes of Annual Meeting.

Copies of the minutes of the annual meeting of the Board held January 15-17 are sent under separate cover. In view of the approaching change of secretaries, the minutes have been written out at somewhat greater length than might otherwise be desirable.

Office Details.

Callers at the office have been: Mrs. E. E. Newton, Supervisor Indian Office, Jan. 7; Hamilton Peltz of the New York Herald, Jan. 9 Jan. 13; Commissioner Moorehead, Jan. 13; Commissioners Ayer and Moorehead, Jan. 14; Thos. Sloan of Nebraska and J. F. Estes of South Dakota (both Indians), Jan. 14; N. B. Ainsworth of Oklahoma City, Jan. 15; J. F. Estes of Greenwood, South Dakota, Jan. 18; Commissioner Ayer, Jan. 18; Commissioner Eliot, Jan. 18; Commissioner Ketcham, Feb. 1; S. M. Brosius of the Indian Rights Association, Feb. 6; annual meeting of Board, Jan. 15-17.

Calls outside office, interviews, etc. have included: At rooms of House Indian Committee, Jan. 11, Feb. 10; at rooms of Senate Indian Committee, Jan. 11, Feb. 10; numerous calls at Indian Office including talks with W. M. Peterson about the Jicarillas, Jan. 13; with E. B. Meritt and Mr. Lusk of the Bureau of Catholic Indian Missions about the Board's appropriation, Jan. 13; with Mr. Abbott about Osage matters, Jan. 28 and with Doctors Murphy and Russell about appropriation for health work; at rooms of ~~Commissioner~~ Committee

on Expenditures in the Interior Department, Jan. 11, Jan. 25, Feb. 13; at Interior Department regarding White Earth matters, Jan. 25; talk with Mr. O'Brien of the Department of Justice regarding White Earth matters, Jan. 25; interviews with Representatives Scott Ferris and Chas. D. Carter of Oklahoma regarding the Fort Sill Apaches and also with reference to the Board, Feb. 10; at hearing given Pueblo delegation by Senate Committee on Indian Affairs, Feb. 13.

The copy of the official minutes of the meetings of the Board since 1869, which work is being done in odd minutes, has been finished up to the year 1901 and one copy up to the year 1869 has been sent to Chairman Vaux for reference and safe keeping outside the Board's office.

The Secretary wishes to ask the indulgence of the Board in the following matter. As explained at the recent annual meeting, while he will remain with the Board until April 1st, if a successor is not found prior to that date, it will necessarily be under a very considerable pressure of work which is unavoidable in preparation for the taking over on that date of the work of the Lake Mohonk Conferences. Under the circumstances he assumes that the Board will excuse him from strict observance of office hours and perhaps from quite as active work as heretofore, it being understood of course that important matters will not be neglected and that the Board's stenographer will keep the office open during any absences of the Secretary who will at all times be quickly accessibly by telephone.

H. Phillips
Secretary.

JOHN N. STEPHENS, TEX., CHAIRMAN.

SCOTT FERRIS, OKLA.

CHARLES D. CARTER, OKLA.

JAMES M. GUDGET, JR., N. C.

A. W. RUCKER, COLO.

J. J. RUSSELL, MO.

THOMAS F. HONOP, WIS.

C. D. SMITH, N. Y.

N. M. JACOWAY, ARIZ.

J. D. POST, OHIO.

DAN V. STEPHENS, NEBR.

CARL HAYDEN, ARIZ.

CHARLES N. BURKE, S. DAK.

PHILIP P. CARPPELL, KANS.

BIRD S. MCGUIRE, OKLA.

CLARENCE S. MILLER, MINN.

CHARLES E. PATTON, PA.

FRED S. JACOBSON, KANS.

STANTON WARRBURTON, WASH.

H. T. HELGEBEN, N. DAK.

JAMES V. TOWNSEND, CLERK.

PAUL H. HUMPHREY, ASST. CLERK.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INDIAN AFFAIRS,
WASHINGTON.

Feby. 13th. 1913.

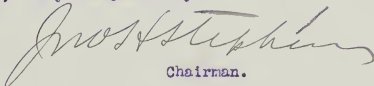
Mr. Edward E. Ayer,

Chicago, Ill.

Dear Sir:-

I am in receipt of your letter favoring an increased appropriation from the amount allowed by the House in the Indian Appropriation Bill, for the Board of Indian Commissioners, and it will have my attention and consideration also be brought to the attention of the House Conferees when this matter comes up in conference.

I am, Very Respectfully.


Chairman.

United States Senate,
COMMITTEE ON THE GEOLOGICAL SURVEY.

February 13th, 1913.

Edward E. Ayer, Esq.,
Railway Exchange Building,
Chicago, Illinois.

My dear Mr. Ayer:-

I am in receipt of your favor of the 11th instant. I note what you say in reference to the amount necessary to be appropriated for the work of your Commission, and expressing the hope that \$10,000.00 may be allowed. I will be glad to support an item in the appropriation bill for that amount I am sure.

With kind regards, I am,

Yours very sincerely,

GEO. E. CHAMBERLAIN

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INDIAN AFFAIRS,
WASHINGTON.

Vol. 1, 1915.

$\frac{d}{dt} \left(\frac{\partial L}{\partial \dot{x}} \right) = \frac{\partial L}{\partial x}$

~~Years~~ 1900-1901

Mr. H. R. R. R. R.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
February 13, 1913

Hon. Edward E. Ayer,
1515 Railway Exchange Bldg.,
Chicago, Ill.

*Answered
7/19*

My dear Commissioner Ayer:

I thank you for your letter of February 11th indicating the substance of what you wrote to members of the prospective conference committee. The tone of your letter is sure to do much good. There is one slight inaccuracy where you estimate that \$500 is spent for publishing reports. The Board no longer bears that expense, but the \$500 is used and often more than used in the traveling expenses of members to and from the regular meetings of the Board, for stationery, telephone service, etc.

Very sincerely yours,

McChesney
Secretary.

ROBERT J. CAMBIE, CHAIRMAN
MOSES C. CLAPP
PORTER J. McCUMBER
GEORGE BUTLERLAND
ROBERT W. LA FOLLETTE
CHARLES CURTIS
NORRIS BROWN
JOSEPH W. DIXON
CARROLL S. PAGE
WILLIAM J. STONE
JEFF DAVIS
ROBERT L. OWEN
GEORGE E. CHAMBERLAIN
CLARENCE W. WATSON
HENRY L. MYERS

RALPH H. CASE, CLERK

United States Senate,

COMMITTEE ON INDIAN AFFAIRS

Washington, D.C., February 14, 1913.

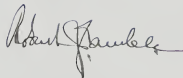
Mr. Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.,

My dear Sir:

Yours of the 11th is at hand and contents noted. The Senate Committee amended the House bill increasing the appropriation for the Board of Indian Commissioners \$10,000.

I cordially sympathize with the amendment and appreciate the necessity for retaining the amount in order to make the Commission effective and efficient. You may rest assured I will do everything I can looking to the retaining of the amount, not only in the consideration of the bill in the Senate but in conference.

Yours very truly,



The Bureau of
Catholic Indian Missions
Washington, D.C.

1326 NEW YORK AVENUE.

Feb. 14, 1913.

Hon. Edward E. Ayer,
Railway Exchange Building,
Chicago, Illinois.

Dear Mr. Ayer:-

I have your letter of February 11th. There are some very interesting Indian questions being agitated just now at the Capital.

I once more thank you for your kind invitation as regards next summer and assure you I shall do my very best to spend at least a few days with you.

Very sincerely yours,

Wm. H. Ketchum

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

Leech Lake Agency.

Onigum, Minn. Febr. 17, 1913.

Hon. Edw. E. Ayer,

U. S. Board of Indian Commissioners,

Railway Exchange Bldg., Michigan, Ave.,

Chicago, Illinois.

My dear Sir:

I have had a recent letter from our mutual friend, Mr. Warren K. Moorehead, in which he asks me to give you a little further information with relation to the logging operations on the ceded Chippewa Indian lands in Minnesota.

Prior to about ten years ago, my information is, the timber sold on the Chippewa lands was disposed of on stumpage estimates, made by various persons, in the tree as standing. That these estimates so made were very low, and while the price of the timber per thousand might be said to be of a fair value, still the estimates of the timber were made so low that the Indians realized but a small percentage of the actual value of the timber. For instance, in the sale of the Red Lake timber, made fifteen or sixteen years ago, on estimates which were very small and inaccurate, I am reliably informed that this stumpage for white pine and Norway pine did not cost the lumber companies, who purchased same, to exceed fifty cents per thousand.

About ten years ago logging operations on the ceded

Answer
7/19

Chippewa lands were commenced under the management of Superintendent of Logging William O'Neil, and he has had continuous charge of said operations since that time. All of the logs cut are scaled on the bank, checked and marked, and from such operations Indians have received to date about seven millions of dollars, which has been placed to their credit in the United States Treasury. It will take about three years more to complete the logging operations on these ceded lands and further funds of probably three million dollars will be received. To date, the logs cut and scaled have overrun the estimate of standing timber by over four hundred forty million feet.

I believe Superintendent O'Neil, to be an honest man and properly conducting these logging operations. I emphasized the necessity of a bank scale in all logging operations in a former letter to Mr. Moorhead, believing that possibly further Red Lake timber might be cut under some legislation which might be secured by Congress.

In one particular instance I mentioned that in a little over three hundred million feet of logs, as shown by bank scale, the estimate of this standing timber was only about one-half of said amount, so that the bank scale of the operations under William O'Neil has extended back to the commencement of said operations about ten years ago. However, I am advised that other timber on White Earth reservation and elsewhere has been

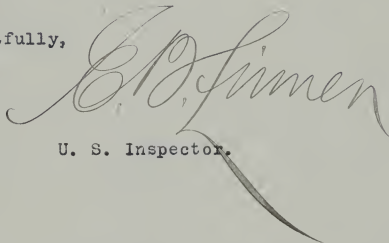
E.E.A.-3.

sold since that time on an estimate of standing timber.

At the present time there is being advertised for sale the timber on about 750 allotments belonging to Indians on this Leech Lake Reservation, and in each contract a bank scale will be insisted upon, which is the only safe and proper scale. These bids are to be awarded on March 28, 1913.

Trusting that this information is what you desire and with the hope that I may have the pleasure of meeting you in person some day, I remain

Very respectfully,

A large, elegant handwritten signature in cursive script, reading "E. D. Limen". The signature is written in dark ink and is positioned to the right of the typed name.

U. S. Inspector.

ack 720

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.
1606 Morris Building, Philadelphia, Pa.

February Eighteenth
Nineteen Hundred and Thirteen

Members of the United States Board of Indian Commissioners.

Gentlemen:-

I am this morning in receipt of a letter from Mr. F. H. Abbott in which he accepts the appointment of Secretary of our Board. A copy of this letter I enclose herewith. You will observe that Mr. Abbott is desirous that the matter should not be made public at present, and I think that you will all agree with me that the request is a reasonable one. There are other expressions in the letter which it is probable are not intended for general consumption.

Mr. Phillips has thought that it was important that some of our members should discuss personally with the members of the Conference Committee the importance of the increase of the appropriation for the Board for the next fiscal year. It has been impossible for me to go to Washington, and I have done what seemed the next best thing, written to each of the members of the Committee. I have had answers from several of them, none of which are more than formal with the exception of that from Senator Gamble, Chairman of the Senate Committee. In it he says,

"I am heartily in favor of it (the increase in our appropriation) and will do everything I can to pass it through the Senate and also to have it concurred in in Congress."

Yours very truly,

Swain Van Hook
Chairman.

GV DS

(COPY)

Department of the Interior
Office Commissioner of Indian Affairs
Washington

1312 Euclid St.

February 14, 1913.

Dear Mr. Vaux:-

After very careful consideration I have decided to accept the Secretaryship of your Board upon the appointment of a Commissioner to relieve me. For the reasons discussed in our last conversation, it will be important, of course, not to make the matter public at this time.

While many of my friends have urged me to permit them to use their influence to hold me in my present position, I am firmly convinced that I can, with the active support of the capable and public spirited men who now constitute your Board, in the position of Secretary, accomplish enough more for the permanent good of the Indians, to more than compensate me for the small loss in salary. Besides, I fear I have been "boss of the shop" too long to make it easy for me to go back to second place, unless I might have something to say in choosing my boss, and I foresee that the republican who would occupy second place here would have to carry on his soul the consciousness that at least fifteen patriotic democrats "equally or better qualified" for the job were being deprived of an opportunity to save the Indians of the country from the "demnition howlows" by the audacious affrontery of said republican.

The more I think of the possibilities of real service on the part of the Board of Indian Commissioners, the more eager I am compelled to be, to take hold of the new work. In this connection the importance of securing the appropriation of \$10,000. for the Board must not be overlooked. The justification placed in the record by the members of the Board who appeared before the Senate Committee is strong, but I hope members of the Board will follow up with some personal work during the next few days. I have done and am doing all I properly can.

Mr. Phillips has sent you copies of the Senate Bill and of the Senate Committee hearings from which you may have noted that the Senate Committee has given us \$350,000. reimbursable to encourage Indians in industry. This I feel is the greatest victory accomplished and I intend to fight hard to hold this item through conference. We also killed a pernicious attempt on the part of Butler and Vale to get another contract with the consolidated bands of Utes.

It is my intention next week to spend considerable time with Mr. Phillips going over matters in his office.

With best wishes, I am,

Sincerely yours,

F. H. Abbott

Hon. George Vaux, Jr.
Chairman Board Indian Commissioners, Philadelphia.

Washington, D. C., February 20, 1913.

To Members of the Board of Indian Commissioners:

The enclosed copies of documents submitted by Mr. S. M. Brosius, of the Indian Rights Association, are self-explanatory. The provisions of the bill against which the Indians protest, have been incorporated in the pending Indian Appropriation Bill page 60, lines 1, etc.

This is the matter which Mr. Brosius presented to the Board at its recent annual meeting, and it was largely this question that led to the expression in the Board's 43d. annual report (1911-12), pages 13 and 14, regarding water rights of Indians.

Mr. Brosius is especially anxious that those members of the Board who feel that his position is correct, should communicate immediately with the probable conferees on the Indian Appropriation Bill, especially those of the House of Representatives, Honorable John H. Stephens, Honorable Charles D. Carter and Honorable Charles H. Burke, all of whom are presumably inclined to oppose the legislation (which was added in the Senate). The Senate conferees will probably be Senators Robert J. Gamble, Moses E. Clapp and either Robert L. Owen or George E. Chamberlain.

W. H. H. Phelps
Secretary.

(c o p y)

P E T I T I O N .

To the Committee on Indian Affairs,

House of Representatives and Congress,

Washington, D. C.

We, the undersigned Yakima Indians and allottees of the Yakima Indian Reservation have assembled in Council January 30, 1913, at White Swan, Washington, on the Yakima Indian Reservation.

We pray for what we think a just right, and a right that belongs to us, First and above all we want our Water Canals on the Yakima Indian Reservation to remain as usual. We protest against the bill No. 6693, which W. L. Jones has prepared to introduce at this session of Congress, we find ourselves unable under existing conditions to comply with the requirements of the bill H.R.26874. We have given this bill (6693) careful investigation, and have discovered it an injury to the Indians on this Reservation, a depriving scheme, a scheme that will gradually grind our 80 acre allotments down to the minimum of 20 acres. Consequently we pray and ask the Committee on Indian Affairs in both the House of Representatives and Congress to give our protest relative to the bill H.R.26874 a thorough investigation. We bitterly oppose any scheme that arises from or is established by the Reclamation Act on the Yakima Indian Reservation. The present Canals on the Yakima Indian Reservation were all erected from funds of the "Yakima Indian Tribal Fund" and they are of capacity sufficient to hold and flow water sufficient to irrigate all lands under these ditches, should we get our just claim of the Yakima River and Ahtanum Creek, and a flow of these waters to supply the capacity of these above mentioned canals.

As to our claims of the Yakima River and Ahtanum Creek, we claim enough water to irrigate all lands which are riparian to these streams. This river and creek are evidently known by the Government as the East and North Boundary lines. Ahtanum creek is a tributary of the Yakima River and the North boundary line, while the Yakima River is the East line. And both have a sufficient flow of water to supply all the lands available under the ditches, if we are granted our request.

Further: We claim all waters such as creeks, rivers and spring waters within our boundary lines, and we pray and ask Congress and other officials in Washington, D. C., within their jurisdiction, to restore these just rights to us.

Weyallup Wayacika his X mark
Chief Judge Yakima Tribal Court,
And 141 other members of the
Yakima Tribe of Indians.

Louis Mann,
Corresponding Secretary of Yakima
Indian Councils.

(c o p y)

S. M. BROSIUS
Agent
Indian Rights Association
and Counselor at Law
McGill Building, 903 G St. N.W.
Washington, D.C.

February 19, 1913.

(Letter to Members of Congress)

We respectfully urge consideration of the enclosed copy of a protest of the Yakima Indians, State of Washington, against the amendments of the Senate incorporated in the Indian Appropriation Act (H.R. 26874, Calendar No. 1071), which appropriates one million, eight hundred thousand dollars (\$1,800,000) for constructing storage reservoirs on the Yakima River, Washington, said amount being chiefly reimbursable from the value of water rights appurtenant to the lands allotted Yakima Indians.

The enclosed MEMORIAL (H.R. Document 1304, 62nd Congress, 3rd Session) presents the claim of the Indians more definitely and fully.

We enclose the resolution of the Yakima Reservation Water Users Association of February 8, 1913, protesting against the legislation in question and urging that the status of the water rights appurtenant to the Yakima Reservation lands be determined by proper legal proceedings.

The proposed legislation limits the free use of storage water to 400 cubic feet per second, estimated to be sufficient for the irrigation of about 20 acres per capita. The Indians insist that they have heretofore used about 1000 cubic feet of water per second, and that the limitation to 400 cubic feet per second deprives them of water for irrigation to which they are justly entitled by prior appropriation and by riparian rights.

We call your attention to the fact that the Indians whose land and water rights are affected by this legislation, are citizens of the United States, that they have a vested right to the allotted lands and can determine by judicial proceeding, any right claimed by them to the waters of the Yakima River for irrigation, to as full an extent as may be done by other citizens. Yet notwithstanding the fact that these Indians are sui juris, the Government controls their property so that their funds are not available for their use in securing a judicial determination of their rights. It will be very difficult for the Indians to secure a sufficient contribution from their private means to prosecute the necessary litigation, and indeed they should not be compelled to do so.

We submit, therefore, that it is most important to determine the right of these Indians to the use of these irrigable waters before the proposed legislation is adopted.

Very respectfully,

Agent, Indian Rights Association.

(copy)

BE IT RESOLVED: That it is the sense of the Yakima Reservation Water Users Association that the plans to irrigate the Yakima Indian Reservation suggested by the United States Reclamation Service and Secretary Fisher, involving an expense of between \$5,000,000 and \$6,000,000, be not approved. That it is the sense of the Association that the old plans heretofore suggested by the Indian Department of the United States for the Irrigation of the lands on the Yakima Indian Reservation irrigable by gravity flow of water, and which system has been practically two-thirds completed and can be completed for an expenditure of approximately \$150,000, be the plan pursued in further irrigation on the Yakima Indian Reservation as to lands now irrigable by gravity flow. That if any land must or can be irrigated by pumping plants, that such lands be charged with the full expense thereof and that no part of such expense be charged against lands which can now be irrigated by gravity flow by the last named system. That we oppose the passage of the proposed bill to appropriate \$1,800,000 for stored water.

BE IT RESOLVED: That it is the sense of the Yakima Reservation Water Users Association that the United States Government should immediately bring or cause to be brought a suit to secure for the irrigable lands on the Yakima Indian Reservation a prior right to such of the waters of the Yakima River as will furnish sufficient water to irrigate the irrigable lands on such reservation. That the legal status of the water rights appurtenant to such reservation should be established and settled by proper legal proceedings at once.

(Signed) Yakima Water Users Association.
Frank Williams, President.
Henry Jones, Secretary.

February 8, 1913.

(copy)

S. M. BROSIUS
Agent
Indian Rights Association
and Counselor at Law
McGill Building, 908 G St. N.W.
Washington, D.C.

February 19, 1913.

Mr. H. C. Phillips,

Secretary, Bd. Indian Commrs.

Dear Mr. Phillips:

We wish to enlist your prompt interest in opposing the legislation, incorporated by amendment of the Senate to the pending Indian Appropriation act (H.R. 26874- Calendar No. 1071) limiting the free use of water for irrigation of the 120,000 acres of irrigable lands allotted to Yakima Indians, Washington, to 400 cubic feet per second, estimated to be sufficient for 32,000 acres.

The 120,000 acres of irrigable lands are already allotted to these Indians, and the lands are valueless without irrigation. While the Yakimas have 80 acres each allotted to them, the legislation if adopted will limit them to use of free water to about 20 acres per capita, being one-fourth of their allotment. They would now be making beneficial use of double that amount of water had they not been denied water by the Reclamation Service. The Indians claim they were using about 1000 cubic feet per second prior to the time they were denied water by action or lack of action by the Government in protecting their rights.

The 'farm unit' for contiguous lands under irrigation is fixed by the Government at a minimum of 40 acres, and lands held by private persons may have water for 160 acres as a 'farm unit'.

I enclose copy of the MEMORIAL of the Yakimas, and invite your special attention to pages 3, 4, 5 and 6, for statement of the case.

I also enclose copy of my letter this day addressed to members of Congress; also enclosed find copy of Yakima protest and Resolutions of Yakima Reservation Water Users Association.

Very respectfully,

(signed) S. M. BROSIUS

Agent, Indian Rights Association

Chicago, February 21, 1913.

Mr. George Vaux, Jr.,
1606 Morris Building,
Philadelphia, Pa.

Dear Sir:-

In addition to the parties I wrote you about yesterday that Mr. Ayer wrote to in regard to the \$10,000.00 appropriation, he wrote the following:

Representatives Mann and Evans.

Senators LaFollette and Cullom.

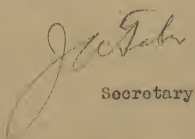
Representative Mann did not reply.

Representative Evans said he would see the Illinois Delegation and other Delegations in regard to the matter.

Senator LaFollette said he would do everything he properly could to have a sufficient appropriation made to enable the Commission to do its work thoroughly.

Senator Cullom wrote that he would do everything he could for the \$10,000.00 appropriation.

Yours very truly,



Secretary.

Chicago, Ill., February 20, 1913.

Mr. George Vaux, Jr.,
1606 Morris Building,
Philadelphia, Pa.

Dear Sir:-

Referring to yours of February 18th to the Members of the Board of Indian Commissioners and copy of letter to you from Mr. Abbott dated February 14th, which you mailed to Mr. Edward E. Ayer.

Mr. Ayer left Chicago yesterday, will sail from New York on February 22nd for Europe and will not return until about the 15th of June. I will advise him about Mr. Abbott accepting the Secretaryship of the Board.

Mr. Ayer wrote the following in reference to the appropriation of \$10,000.00.

Senators Owen, Gamble and Chamberlain.

Representatives Burke, Stephens, Ferris and Carter.

Senator Gamble wrote that he would do everything he could to have \$10,000.00 appropriated.

Senator Chamberlain said he will support an appropriation for \$10,000.00.

Representative Burke says he will look into the matter carefully and give it his attention, but has doubts of the increase to \$10,000.00.

Representative Stephens says the matter will have his attention and consideration.

The others have not answered up to date.

Yours very truly,

Secretary.

Chicago. February 19th, 1913.

Dear Mr. Linnen,-

I have yours of February 17th and contents noted.

I thank you exceedingly for your courtesy in answering and I want to take the opportunity of congratulating you most sincerely on the splendid work you have done amongst the Indians in all the time you have been with them.

If you should be in Chicago during the summer time, I hope you will come to my office and telephone me at my Lake Geneva home, as I would like to have you come up and pay me a visit.

This letter will be marked "Dictated" and signed by my Secretary, as I start for Europe within an hour.

Very sincerely yours,



Mr. E. B. Linnen,
United States Inspector,
Leech Lake Agency,
Onigum, Minn.

Dict. E.B.A.

Chicago, February 19th, 1913.

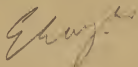
Dear Father Ketcham,-

I have yours of February 14th and contents noted. The reports also came duly to hand and I am exceedingly obliged to you.

I wish there was some way that my Librarian, Miss Smith, of the Newberry Library here, could get hold of a list of all the publications of the Catholic Missions. I would like to secure every one of them that we have not got for my Americana Library in the Newberry Library. If you can be of any assistance to us, we will esteem it a special favor.

Mrs. Ayer and I leave today for Europe. I sincerely hope to see you at Lake Geneva during the coming summer.

Yours very truly,



Rev. Wm. H. Ketcham,

1326 New York Avenue,

Washington, D.C.

Chicago, February 19, 1913.

My dear Mr. Phillips,-

I have yours of February 13th and contents noted.
I will appreciate it very much if you will kindly send me another
copy of the report of the Senate Committee on Indian Affairs.

Very sincerely yours,

A handwritten signature in cursive script, appearing to read "Edgar", is written over the typed name "Edgar" in the signature block.

Mr. H. C. Phillips, Sec'y.,
Board of Indian Commissioners,
Washington, D.C.

Diet. R.E.A.

THE ATCHISON, TOPEKA & SANTA FE RY.

Subject:- Employment of Navajo Indians.

At Topeka, Kansas.
February 22, 1913.
File-----11148.

PERSONAL.

My dear Mr. Ayer,-

Referring to our conversation in regard to the Manajo Indians, we have at the present time none in our service in any department. At times we employ Mojave Indians in the vicinity in the Needles, but usually not in employment that is regular and continued.

We have employed Mavajo Indians in the past to some extent, but they can not be had in large numbers, and in Summer when the corn is ripe all quit and go home to feed on green corn.

It is our experience that neither the Navajos, Lagunas nor other Indians can be relied upon for continuous work. As they are liable to desert at a time when their services are most needed, and when other help is very difficult to obtain, our people find the effort to give them employment very discouraging.

If you have any suggestions as to methods which might be tried to overcome this difficulty, we would be glad to assist.

Very sincerely yours,

(sgd) W. B. Story, Jr.,

Mr. E. E. Ayer,
Railway Exchange,
Chicago, Ill.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
February 24, 1913.

Hon. Edward E. Ayer,
1515 Railway Exchange Bldg.,
Chicago, Ill.

My dear Commissioner Ayer:

Answering your letter of
February 19th, I am asking the clerk of the Senate
Committee on Indian Affairs to mail directly to you
another copy of the hearings.

A letter from Mr. Moorehead says that he
has given up going to Minnesota and proposed instead to
go to Oklahoma about the middle of March. This I
assume is agreeable to you, and it seems to me that the
Oklahoma field needs attention much more than do
affairs in Minnesota.

Very sincerely yours,



Secretary.

(C O P Y)

Pine Point, Minn., Feb. 27th, 1913.

Proceedings of Council, held at Pine Point, White Earth Reservation, Minnesota, by the full-blood Indians, who are members; namely the White Earth, Leech Lake, Red Lake, Ball Club and Fond du Lac Reservations.

After prayer by Rev. Geo. Smith, the council was called to order by John Coleman, chairman, and the delegates seated in the usual Indian customs---the following resolutions were put before the House and adopted:

First: We the full-blood Indian members of the different Reservations, namely, White Earth, Leech Lake, Red Lake, Ball Club and Fond du Lac, in the State of Minnesota, respectfully petition the Hon. Sec. of the Interior, Hon. Commissioner of Indian Affairs and Hon. Members of Congress, as full-blood Indian members of the several Indian Reservations in the State of Minnesota have organized and perfected a consolidation, as a whole into one body, one heart and one mind, and attach our names to that end.

Second: That no delegation or representatives of any band or a delegation representing the mixed-blood cause, shall be recognized by the Hon. Sec. of the Interior or the Department thereof and the Indian Bureau without it is authorized by this organization.

Third: That an investigation shall be made, on the different Reservations concerning all scrips and scrippees and all scrippees and their descendants or any, found as such, shall be stricken from the Annuity Pay Rolls. We firmly believe they are upward of 1000 or more mixed-bloods or other people that has no legal right to participate in our annuities lands and tribal funds and we ask that the Department of the Interior and the Indian Bureau suspend all annuities for a time being until such time that the investigation shall make a report or the courts may pass judgment or render a decision bearing on these cases and we respectfully request that the following families be investigated for the purpose of determining their legal rights of enrollment upon any of the Chippewa Reservation in the State of Minnesota, Campbells, Brisbois, Bellecourts, LaChapelles, Donnells, DeMaris, Bellefeuille, Roy Philomen, Bisson, LaFond, Trotochaud, Blair, Beans, Aitkins, Rogers and wife, Beaupra, Bement, Branchaud, Hamlins, Beaulieu, LeGos, LeQuers, Fairbanks, McArthur, McDougal and Morrisoi.

Fourth: We appeal to the new administration for our lives and property, as in the past when we refused to sell our allotments, it has been sold for taxation, and members of Reservations has been assaulted and slain, and we have been unable to have the murderers prosecuted by either State or Federal authorities, both claiming lack of jurisdiction.

Fifth: Resolved, we request the Hon. Sec. of the Interior and the Hon. Commissioner of Indian Affairs to call to Washington a delegation of full-bloods representing the different bands of Chippewa Indians of Minnesota, for the purpose of discussing their business affairs and all expenses of this delegation be defrayed out of the tribal funds.

Sixth: Resolved, that we instruct our Secretary to send telegrams to chairman of Senate Committee Indian Affairs, chairman House Committee of Indian Affairs and the Hon. James M. Graham, M.C., protesting against the expenses of the mixed-blood representatives about to leave White Earth for Washington being paid from our tribal funds and further requesting our protest against the Appropriation Bill in its present form, particularly to that clause known as the Steenerson Amendment.

Seventh: Resolve that we the delegates from the Red Lake Reservation representing a council of 160 full-blood Indians protest against the amendment for a preliminary survey of our Reservation for the purpose of allotting in severalty, and suggest that no steps be taken to that end.

Chairman, John Coleman, thumb-mark,
Secretary, John Broker, thumb-mark,
Interpreter, Frank Smith

(Signed also by 87 Indians, including 64 of Pine Point, 6 of Red Lake, 2 of Ball Club, 13 of Leech Lake and 3 of Mille Lac. Three chiefs are among the signers.)

March 12th, 1913.

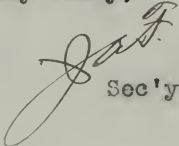
Mr. Warren K. Moorehead,
Andover, Mass.

My dear Sir:-

I have your favor of March 10th
acknowledging receipt of the \$500.00.

Mr. Ayer's address is c/o
American Express Company, 11 Rue Scribe,
Paris, France.

Yours very truly,


Sec'y.

BOARD OF INDIAN COMMISSIONERS

OFFICE REPORT

February 14 to March 15, 1913, inclusive.

To Members of the Board of Indian Commissioners:

Legislation.

In the last office report it was stated that the Indian Appropriation Bill (H.R. 26874) had been reported to the Senate and some provisions were briefly reviewed. The bill passed the Senate with little change, went to Conference Committee and there was considerably altered. A copy of the bill with marginal notes indicating its condition when it left the Conference Committee is sent herewith. The conference report was agreed to in the House but in the Senate action was prevented by Senator Fall, of New Mexico, who talked the bill to death, presumably because of the Fort Sill Apache item, although he pretended to have objections to several other items. As a matter of fact, he used as material for his filibuster, a paper on the Mexican Revolution. The bill having failed of passage is theoretically dead and the coming special session of Congress may begin at the beginning and frame an entirely new measure. It is possible, however, for them to vote to adopt the bill as agreed to in the recent Conference Committee, and probably that course will be attempted.

It will be observed that on most items, including the appropriation for health work, the Five Civilized Tribes, the Navajos and the Fort Sill Apaches, the action of the Conference Committee was rather hopeful. A striking exception occurs in the item for the expenses of the Board. Concerning this, the office has reliable information as has also Commissioner Ketcham, that while the Senate conferees and one of the House conferees were in favor of \$10,000 the item was again reduced to \$4,000 because of the absolute insistence of Chairman Stephens of the House Committee and Representative Carter of Oklahoma, and that Chairman Stephens said in the Conference Committee that he would like to see the Board put out of existence, which is merely a repetition of the attitude reported to the Board by its Secretary more than a year ago. It seems entirely plain what must be done before the Board can expect an increased appropriation.

With reference to the Legislative, Executive and Judicial appropriation bill (H.R. 26680), in which is included the appropriation for clerks in the Indian Office as mentioned in office circular letter

of February 11, the final action on the bill was a compromise resulting, however, in a dead loss to the Indian Office of three clerks with salaries varying from \$1600 to \$1800. The Indian Office will shift clerkships as much as possible to overcome the handicap.

Report of Public Health Service.

The printing of the report of officials of the Public Health Service referred to in the last office report has been much delayed and the report has only recently become available. Even now the copies are reserved for the use of Senators although this office has been promised one copy for its files. It appears that it will be impossible to secure copies for the members of the Board through the regular channels, but probably any member wishing a copy can secure it through his Senator. The report is said to be profusely illustrated and to contain colored plates, etc.

Leech, Red and Cass Lakes.

Commissioner Moorehead has given up his trip to Northern Minnesota having received from Inspector Linnen of the Interior Department, information which convinces him that Mr. Linnen has thoroughly covered the work. Commissioner Moorehead wishes the Board to know that he believes Mr. Linnen's report will be most valuable and thoroughly satisfactory.

Investigation of Oklahoma Conditions.

In place of the Minnesota trip Commissioner Moorehead intends to make a study of conditions in Oklahoma, and passed through Washington March 15th on his way there, his first stopping place being Muskogee, c/o Superintendent Kelsey. Mr. Moorehead will be accompanied by Mr. J. Weston Allen, of Boston, who goes entirely at private expense and without official connection with this Board. Mr. Moorehead's reports will be forwarded directly to Chairman Vaux for use as contemplated in the case of the proposed Minnesota trip.

Awarding of Contracts at Chicago.

Commissioner Vaux was present at Chicago during most of the week ending March 8th in attendance at the awarding of contracts for Indian supplies.

Minutes of Annual Meeting.

Attention is called to the following errors in the copies of minutes sent with the last office report:

On or about page 14, referring to lawyers in the town of Hugo, substitute "real estate" for "railroad".

In second paragraph following second line, after "policy" insert "for the future".

The name of Governor Locke is "Vistor M." not "Victor J."

On page 13, the firm "McCurtain and Hale" should read "McCurtain and Hill".

Office of Commissioner of Indian Affairs.

Several new names have appeared in connection with this office. Apparently the most active candidates are Mr. E. B. Meritt and Mr. Thomas Sloan. Mr. Moses Friedman, Superintendent at Carlisle, is also a candidate, and the name of Louis Brandeis, of Boston, has also been mentioned. The Oklahoma delegation in Congress is said to be backing a man who presumably is one Mr. Hastings whose name is ~~also~~ occasionally mentioned.

While one of the most active candidates predicts that the appointment will be made this week, there seems no reason to believe that the new Secretary of the Interior is going to be in a hurry about ~~the~~ definite recommendation to President Wilson.

White Earth.

Considerable comment has been aroused by the presence in Washington during the closing days of the late Congress, of Gus Beaulieu and John Carl, familiar figures in the White Earth matter. Their pretended authority as regularly accredited representatives of their tribe is disputed by the Superintendent at White Earth and by large numbers of the Indians there, and is very much doubted at the Indian Office. It is said that they are directly interested in the last paragraph of amendment 46, on page 26, of the accompanying Indian Appropriation Bill. The existence of any White Earth Indian Education Board is unknown to the Superintendent at White Earth, and it is said that most of the money would be used for certain mixed-blood children, including relatives of Gus Beaulieu. At the request of Commissioner Moorehead, there is enclosed copy of proceedings of a council held at Pine Point, Minnesota, protesting against recognition of the so-called delegation.

The Navajos.

A letter has been received from Mr. W. R. Johnston, Missionary to the Navajos, in which he refers to the claim of the new States Arizona and New Mexico, that the Indians are occupying more land than is justified by ~~their~~ ^{their} numbers or importance. He believes that

the claim must be considered, and expressed the fear that unless it is done through other than the ordinary channels the Indians cannot get justice. He makes the definite suggestion that either by active Congress or otherwise the President should appoint an unpaid commission of three or five men, allowing them the necessary experts and assistants, and that such commission should at an early date be required to report on the amount of land necessary for the Navajos to continue their grazing industry, which he regards as absolutely essential to their welfare.

The Late Commissioner Smiley.

A letter has been received from Commissioner Daniel Smiley warmly thanking the Board for the resolution adopted at its last meeting regarding the services of the late Commissioner Albert K. Smiley. The letter has been placed in the Board's files and may be called up at the next meeting of the Board.

Office of Secretary of the Board.

Mr. F. H. Abbott has told the present Secretary that he has written Chairman Vaux definitely accepting the office of Secretary. It is, however, unlikely that he can assume the office at the time of the departure of the present Secretary on April 1st. The matter is being taken up by correspondence with Chairman Vaux with a view to deciding upon some practical plan to carry on the office work during the interim. It will of course be necessary for the present Secretary to continue as disbursing agent until the new Secretary takes office and is appointed disbursing agent.

Office Details.

Callers at the office have been: James E. Gresham, of Wewoka, Okla., Special Assistant to the Attorney General, Feb. 17; Thomas C. Moffett of the Presbyterian Board of Home Missions, Feb. 18; S. M. Brosius of the Indian Rights Association, Feb. 19; Gus H. Beaulieu and John Carl (who called in absence of Secretary), of White Earth, Feb. 19; M. K. Sniffen, Secretary of the Indian Rights Association, March 13; Commissioner Moorehead, Mar. 15.

Work outside the office has included: Talk with the Acting Commissioner of Indian Affairs, Feb. 15; call on Commissioner Ketcham, Feb. 26; calls at offices of Chairman Stephens of the House Committee, and Representative James M. Graham in relation to Board's appropriation, Feb. 27.

During the last week the Indian Appropriation Bill was before Congress letters were sent to a number of the conferees setting forth

briefly the practical impossibility of the Board accomplishing much on \$4,000 a year. One of these letters to Congressman Carter was followed by a telephone conversation in which Mr. Carter promised to read and consider the points raised in the letter. The same points were handed in person to Chairman Stephens' clerk who promised that they would receive Mr. Stephens' attention. Inasmuch as Mr. Stephens was present when practically the same facts were stated by the Secretary at a hearing the year before, there can be no reason to believe that the attitude of the two gentlemen in question is explained by ignorance of the facts.

The copy of the official minutes of past meetings of the Board is finished down to the year 1912 and the remainder of one copy will soon be sent to Chairman Vaux for safe keeping outside the Board's office. The copy has not been checked with the original but a carbon of the copy will be retained in the Board's office for such checking should the time of the new Secretary permit.

W. Phillips
Secretary.

*Recd
8/7*

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS

B-a

WASHINGTON, D. C.
1606 Morris Building, Philadelphia, Pa.

July 30, 1913.

Hon. Edward E. Ayer,

1515 Railway Exchange Building,
Chicago, Ill.

My dear Commissioner Ayer:

*Annual 8/8
by wire*

Mr. Abbott has prepared a rough draft of our annual report which will be sent in a few days to each member of the Board. Upon the receipt of the copy mailed to you I wish you would give it your very careful thought and consideration, freely interlining any changes you think should be made, and sending to me a separate memorandum suggesting any paragraphs which you think should be added as well as indicating any of the sections covered in the proposed draft which you think should be omitted. I shall appreciate it if you could give this matter your prompt attention and return to me the papers referred to if possible not later than August 10th.

Very sincerely yours,

Swm Vanhook

Chairman, Board of Indian Comrs.

Swim's illness has delayed the sending of this letter

NIGHT LETTER

THE WESTERN UNION TELEGRAPH COMPANY

25,000 OFFICES IN AMERICA

INCORPORATED

CABLE SERVICE TO ALL THE WORLD

THEO. N. VAIL, PRESIDENT

BELVIDERE BROOKS, GENERAL MANAGER

RECEIVER'S No.

TIME FILED

CHECK

Charge Ayer & Lord Tie Co.,

SEND the following NIGHT LETTER subject to }
 the terms on back hereof which are hereby agreed to }

Chicago. August 8, 1913.

Mr. George Vaux,
 1606 Morris Building,
 Philadelphia, Penna.

Have read annual report. It seems to go into
 everything first rate and I am very much pleased
 with it.

Edward E. Ayer.

NIGHT LETTER

ALL NIGHT LETTER MESSAGES TAKEN BY THIS COMPANY ARE SUBJECT TO THE FOLLOWING TERMS WHICH ARE HEREBY AGREED TO

The Western Union Telegraph Company will receive not later than midnight **NIGHT LETTERS**, to be transmitted only for delivery on the morning of the next ensuing business day, at rates still lower than its standard night message rates, as follows: the standard day rate for ten words shall be charged for the transmission of fifty words or less, and one-fifth of such standard day rate for ten words shall be charged for each additional ten words or less.

To guard against mistakes or delays, the sender of a message should order it **REPEATED**, that is, telegraphed back to the originating office for comparison. For this, one-half the unrepeated message rate is charged in addition. Unless otherwise indicated on its face, **THIS IS AN UNREPEATED MESSAGE AND PAID FOR AS SUCH**, in consideration whereof it is agreed between the sender of the message and this Company as follows:

1. The Company shall not be liable for mistakes or delays in the transmission or delivery, or for non-delivery, of any **UNREPEATED** message, beyond the amount received for sending the same; nor for mistakes or delays in the transmission or delivery, or for non-delivery of any **REPEATED** message, beyond fifty times the sum received for sending the same, *unless specially valued*; nor in any case for delays arising from unavoidable interruption in the working of its lines; *nor for errors in cipher or obscure messages.*

2. In any event the Company shall not be liable for damages for any mistakes or delay in the transmission or delivery, or for the non-delivery of this message, whether caused by the negligence of its servants or otherwise, beyond the sum of **FIFTY DOLLARS**, at which amount this message is hereby valued, unless a greater value is stated in writing hereon at the time the message is offered to the Company for transmission, and an additional sum paid or agreed to be paid based on such value equal to one-tenth of one per cent. thereof.

3. The Company is hereby made the agent of the sender, without liability, to forward this message over the lines of any other Company when necessary to reach its destination.

4. Messages will be delivered free within one-half mile of the Company's office in towns of 5,000 population or less, and within one mile of such office in other cities or towns. Beyond these limits the Company does not undertake to make delivery, but will, without liability, at the sender's request, as his agent and at his expense, endeavor to contract for him for such delivery at a reasonable price.

5. No responsibility attaches to this Company concerning messages until the same are accepted at one of its transmitting offices, and if a message is sent to such office by one of the Company's messengers, he acts for that purpose as the agent of the sender.

6. The Company will not be liable for damages or statutory penalties in any case where the claim is not presented in writing within sixty days after the message is filed with the Company for transmission.

In further consideration of the reduced rate for this special **"NIGHT LETTER"** service, the following special terms are hereby agreed to:

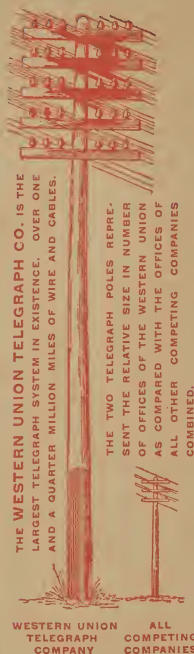
A. NIGHT LETTERS may at the option of the Telegraph Company be mailed at destination to the addressee and the Company shall be deemed to have discharged its obligation in such cases with respect to delivery by mailing such **NIGHT LETTERS** at destination, postage prepaid.

B. NIGHT LETTERS shall be written in plain English. Code language is not permitted.

7. No employee of the Company is authorized to vary the foregoing.

THEO. N. VAIL, PRESIDENT

BELVIDERE BROOKS, GENERAL MANAGER



MONEY TRANSFERRED BY TELEGRAPH AND CABLE TO ALL THE WORLD

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

Room 28, Bureau of Mines.

September 3, 1913.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Commissioner Ayer:

At the request of Mr.
Abbott, I am writing to inform you that the
following named committee has been designated by
the two houses of Congress to conduct the proposed
investigation into Indian affairs:

Senators, Robinson, Lane and Townsend
Congressmen, Stephens, Carter and Burke.

Very truly yours,

Eleanor T. Hall
Stenographer.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Andover, Mass., March 4, 1913.

Messrs Ayer & Lord,
Railway Exchange Bldg.,
Chicago, Ill.

*\$500 sent to
Mr Moorehead
3/7/13*

Dear Mr. Lord:

Mr. Ayer is away, but according to his instructions to me, I address the firm. He sent me \$500 to carry on an investigation for this Board, because the Board did not have money. I could not go to the reservation in Minnesota because of my wife's illness. I returned Mr. Ayer his former check. There is now a far worse situation in Oklahoma, and as Inspector Linnen took my place in Minnesota, I am going to Oklahoma. I have raised a little money outside and this added to what the Board can spare and Mr. Ayer's \$500 will be sufficient. Will you please send me draft for \$500 at once? I will account for this money, according to Mr. Ayer's wishes on the usual forms of receipts.

I shall leave Andover in a week for Oklahoma, so you will have time to address me here.

When you write to Mr. Ayer please remember me to him kindly. I do not know his address.

Very truly yours,

*address me
at Andover, Mass. Wm K. Moorehead*

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Andover, Mass., March 10, 1913.

J. A. Faber, Esq.,
Secretary to Ayer & Lord,
Chicago, Ill.

*Ans'd
3/12*

My dear Sir:

Many thanks for your enclosure of \$500. I have put same into American Express orders and shall use it in Oklahoma, together with the money the Board of Indian Commissioners can spare. If you give me Mr. Ayer's address, I shall be glad to write him.

I shall voucher for this money, on the regular Government forms, and it is possible that Mr. Ayer may be able to recover same next fall from the Govt.

Thanking you, I am,

Very sincerely yours,

Wm K. Moorhead

Department of the Interior
BOARD OF INDIAN COMMISSIONERS.
Washington D.C.

Andover, Mass., March 11-1913

Honorable Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.

My dear Mr. Ayer:

The Indian situation in Oklahoma is very bad. We have received letters from some prominent persons there appealing for help. Congress seems influenced by the Oklahoma delegation. While Mr. Linnen has got the Minnesota reservations in splendid shape, the great and pressing need is Oklahoma. The Boston Citizenship Committee, of which Honorable Ex-Governor Long is Chairman, has authorized my friend J. Weston Allen to represent them and he has been given \$100, for this purpose. I saw Eliot and wrote to Vaux and Phillips suggesting that now that I can leave home I should go there at once. Vaux has issued me directions to go, I wrote to your partner explaining the case and enclosing your last letter. He sent me check for \$500 which, added to the \$100 that Phillips can spare, will see us through, with economy.

We leave Friday morning the 14th and return about the middle of April. My address is c/o U.S. Indian Agent, Dana H. Kelsey, Union Agency, Muskogee, Oklahoma. Shall be glad to hear from you.

I have had prepared printed forms of statements and affidavits in order to save time. These we shall fill out as we take evidence. We have co-operation of my wife's cousin, attorney Lafferty, of Kansas, who will go with us free of expense. He is a prominent citizen and ashamed of the way his people have been handling the Indians and along with attorney Foreman and the attorney of the Five Civilized Tribes, Mr. Mott, he is going to help us. Thus we will have plenty of legal advice. I shall send my reports to Vaux, according to agreement.

Allen will report direct to his people. We hope to accomplish much good.

Allen was in Washington three days and saw the new Secretary of the Interior, Mr. Lane of California. The Secretary realizes the necessity of a big man for Commissioner and we are all in hopes he will appoint Meritt. A number of persons have written to President Wilson suggesting me for Commissioner, but I would rather see Meritt appointed. Former Commissioner Leupp wishes me to take the Office as does Professor Putnam of Harvard and others. But I have been helping Meritt and it would not be just for me to be a candidate.

I trust you are having a fine time abroad and enjoying yourself. Kindly remember me to Mrs. Ayer.

With best wishes, I am,

Very cordially yours,

(Sgd) Warren K. Moorehead.

P.S.-

As soon as I know your address, shall keep you posted as to what we discover in Oklaahoma.

Dear Mr. Ayer,-

I acknowledged receipt of the above and advised him I would send you a copy of this letter. I have also advised him your address.

Joe.

*Rec'd 3/14
ack & copy to me*

[Handwritten signature]

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Andover, Mass., March 11, 1913.

Honorable Edward M. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My dear Mr. Ayer:

The Indian situation in Oklahoma is very bad. We have received letters from some prominent persons there appealing for help. Congress seems influenced by the Oklahoma delegation. While Mr. Linnen has got the Minnesota reservations in splendid shape, the great and pressing need is Oklahoma. The Boston Citizenship Committee, of which Honorable Ex-Governor Long is Chairman, has authorized my friend J. Weston Allen to represent them and he has been given \$100. for this purpose. I saw Eliot and wrote to Vaux and Phillips suggesting that now that I can leave home I should go there at once. Vaux has issued me directions to go, I wrote to your partner explaining the case and enclosing your last letter. He sent me check for \$500 which, added to the \$100 that Phillips can spare, will see us through, with economy.

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With best wishes, I am,

Very cordially yours,

Waverly Moorehead

P. S. As soon as I know your address, shall keep you posted as to what we discover in Oklahoma.

MR. WARREN K. MOOREHEAD

MEMBER OF THE
UNITED STATES BOARD OF INDIAN COMMISSIONERS
WASHINGTON, U. S. A.

CURATOR DEPT. OF ARCHAEOLOGY
PHILLIPS ACADEMY ANDOVER, MASS.

Department of the Interior.

Indian Service.

Indian Agency,
Civilized Tribes.

A. H. N.

APP-1 1913

Muskogee, Oklahoma, March 30, 1913.

Messrs. Ayer and Lord,
Chicago, Ill.

Gentlemen:-

Early in March I wrote you regarding a trip here for the Board of Indian Commissioners, which Mr. Edward E. Ayer of your firm agreed to help finance. You sent me \$500.00 as stated in Mr. Ayer's letter of authority. Mr. Ayer wrote me two other letters which I have telegraphed my clerk at Andover, Mass. to send to you or to me. Mr. Ayer stated in these, which were written about the middle, or 20th. of January, 1913, that he was willing to expend \$300.00 more, if necessary. As our Board has but \$100.00 available, I wish you would send \$200.00, which will be sufficient. I suppose you have copies of the letters he wrote to me. If not, the originals will reach you in two or three days.

I have written to Mr. Ayer a full report of the conditions among the Indians here, and it is very lamentable, and requires immediate attention on the part of the authorities.

Please address me as below.

Very truly yours,

Warren K. Moorehead

Care of D. H. Kelsey, U.S. Indian Agent, Muskogee, Okla.

Ch. \$200.00
sent 4/1

Department of the Interior,

United States Indian Service.

Union Agency,
Five Civilized Tribes.

A. H. N.

APR 1 1913

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Wm. K. Moorehead

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412
ack to
copy to Mr. a

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-a

533 Fifteenth Street, N.W.
March 31, 1913.

Hon. Edward E. Ayer,
1515 Railway Exchange Building,
Chicago, Ill.

My dear Commissioner Ayer:

In leaving the Board's office today, I desire to thank you heartily for the great courtesy you have shown me during my short term as secretary, and to assure you that I shall always be very glad to do what I can in a private capacity to advance the interests of the Board and the welfare of the Indians. I hope that through my connection with the Indian Conference at Mohonk I may be of some slight service, and I shall look forward with very great pleasure to meeting the members of the Board at the Conference. I shall necessarily have to continue as disbursing agent of the Board until I am relieved by the appointment of my successor by the Secretary of the Interior. Letters relating to the Board's accounts will reach me at Mohonk Lake, N. Y. For the present it would be well to address other official mail simply to the Board of Indian Commissioners or to Miss E. T. Wallace, Stenographer, who will be in the office until some arrangement is made for Mr. Abbott to assume the work.

With very kind regards,

Sincerely yours,

A. C. Phillips

BOARD OF INDIAN COMMISSIONERS

Washington, D.C., March 31, 1913.

To Members of the Board of Indian Commissioners:

Enclosed is a copy of a letter written by Commissioner Moorehead on March 26th, after some preliminary investigations in Eastern Oklahoma. He has already submitted one report which Chairman Vaux has sent here with instructions to offer it to the press, which has already been done. It is understood that a report of a more thorough nature is on the way from Oklahoma.

Fort Sill Apaches.

Following the blocking of the Indian Appropriation Bill, on account of the Fort Sill item and in order to remove the opportunity for another filibuster by the New Mexico Senators, the War and Interior Departments have been pushing plans for the early removal of those Fort Sill Indians who desire to go to Mescalero. Word has just come from the Indian Office that the arrangements are practically completed; that the Indians are ready to start; and that the provisions for taking care of them at Mescalero are so far advanced that the War Department has been authorized to begin the removal immediately so that the Indians, to the presence of whom the New Mexico Senators so vigorously objected, will undoubtedly be at Mescalero before the new Congress convenes. This removal will be accomplished by the use of part of the \$200,000 already available.

Although this is the last day of service of the present secretary, a detailed office report is not submitted for the reason that Miss Wallace, the Board's stenographer, can easily cover the period since March 15th, in the first office report she submits. It has been arranged for her to keep the office open until the incoming secretary is ready to take charge.

H. C. Phillips
Secretary.

Muskogee, Oklahoma,

April 3, 1913.

Mr. J. A. Fabre,

Secretary to Mr. Edward E. Ayer ,

Chicago.

My dear sir:

I have your letter of April 1st enclosing check for \$200.00. Many thanks for same. I hand you letter of January 21st forwarded by my clerk which refers to authority to draw upon Mr. Ayer for \$300.00. We did not need this amount, the \$200.00 you sent me being sufficient. I shall be home in a few days and post the accounts and probably return the balance to Mr. Ayer .

Thanking you, I am,

Very cordially yours,

Walter K. Moakhead
Audover
Mass.

Executive Office.

The Choctaw Tribe of Indians.

Victor M. Locke, Jr.,
Principal Chief.

P. J. Hurley,
National Attorney.

Tulsa, Oklahoma.
April 10th., 1913.

Mr. Warren K. Moorehead,
Chairman of the United States,
Board of Indian Commissioners,
Andover, Massachusetts.

Dear Sir:

Recently when I saw you at Muskogee, Oklahoma, you asked me to write you a letter briefly outlining the present controversy between Mr. J. F. McMurray an attorney at McAlester, Oklahoma, and the officials of the Choctaw Nation.

You will recall that on June 25th., 1910, a selected committee was appointed by the House of Representatives for the purpose of investigating Indian contracts with the Five Civilized Tribes and the Osage Indians in Oklahoma. The immediate cause of this investigation was a charge made in the United States Senate by Senator T. P. Gore of Oklahoma to the effect that he had been offered a bribe by an associate of Mr. McMurray to withdraw his objection to the approval by Congress of certain contracts that Mr. McMurray had at that time pending for approval. A full report of the proceedings of the above mentioned committee, together with the findings of the committee and copies of all papers submitted in evidence, will be found in House of Representatives' Report No. 2273, 61st. Congress, Second Session.

The report is in two volumes.

At page 1164 of the second volume, marked "Exhibit 15" is a copy of the so-called "McMurray Individual Contract" covering tribal property. The form of the contract is as follows:

"McMurray individual contract covering tribal property."

This agreement between certain members of the Choctaw and Chickasaw nations and J. F. McMurray, an attorney at law, residing at McAlester, Oklahoma, witnesseth:

That said members of the Choctaw and Chickasaw nations, executing this contract, and said J. F. McMurray are the parties in interest thereto; that the purpose for which this agreement is made is to secure the services of said J. F. McMurray in the prosecution before the courts or elsewhere of all the unsettled claims of the Choctaw and Chickasaw people against the United States, and for compensation therefor, and to secure his services in procuring the sale of all the undivided property of the Choctaw and Chickasaw people.

That the special thing to be done by the said J. F. McMurray is to prosecute said claims before the courts of the United States or before the Congress of the United States, as in his judgement may be necessary; to represent such members of the Choctaw and Chickasaw nations as their representative and attorney in the sale of all their undivided property of whatsoever character. Said J. F. McMurray is to receive as his compensation therefor ten per cent of all funds derived by us from the amounts collected from the United States Government in settlement of the various claims due by the United States to the Choctaw and Chickasaw people, and also ten per cent of the amount received by said Choctaw and Chickasaw people for all property of whatsoever kind, held in common by them, when said property shall be sold; and said J. F. McMurray is hereby authorized to draw the compensation above provided for out of the Treasury of the United States when any claims of Choctaws and Chickasaws against the United States have been adjusted and the proceeds placed in the Treasury of the United States to the credit of the tribes, and when any money hereafter realized from the sale of the tribal property has been placed in the Treasury of the United States.

Provided, however, That said J. F. McMurray is to pay all expenses connected with his work in prosecuting these claims or in seeking to bring about the sale of said property, and is to receive no compensation except as above specified.

That said J. F. McMurray agrees to faithfully and diligently devote himself to the prosecution and settlement of said claims against the United States and to bringing about the sale of the undivided property of said Choctaw and Chickasaw people and the payment per capita of the proceeds therefor to the members of the Choctaw and Chickasaw nations.

That the time for which this contract is to run is five years from October 21, 1908. (Signatures.) "

On page No. 1162 of the second volume of the report is a copy of the Choctaw Tribal Contract with Mansfield, McMurray & Cornish and Cecil A. Lyon. This contract is marked "Exhibit 14", - a copy of the contract is as follows:

"Choctaw tribal contract with Mansfield, McMurray & Cornish and Cecil A. Lyon.

This memorandum witnesseth that the parties in interest to this contract are Green, McCurtain of Kinta, Choctaw Nation, Ind. T., principal chief of the Choctaw Nation on behalf of said Choctaw Nation, party of the first part, and George A. Mansfield, John F. McMurray, and Melven Cornish, of South McAlester, Ind? T., and Cecil A. Lyon, of Sherman, Tex., parties of the second part:

That the authority under which this contract is entered into, the scope of such authority, and the reason for exercising the same will appear from an act of the general council of the Choctaw Nation approved July 3, 1905, and entitled "An act in relation to the sale of the segregated coal and asphalt lands in the Choctaw and Chickasaw nations", as follows (omitting the preamble):

Be it enacted by the general council of the Choctaw Nation in extraordinary session assembled (the legislature of the Chickasaw Nation concurring.) That the principal chief of the Choctaw Nation be, and he is hereby, empowered and directed to take necessary steps upon the part of the Choctaw Nation to bring about the sale of the coal and asphalt lands and coal and asphalt deposits in the Choctaw and Chickasaw nations segregated as above set out (under the act of Congress approved July 1, 1902, entitled "An act to ratify and confirm an agreement with the Choctaw

and Chickasaw tribes of Indians, and for other purposes,") for the highest price obtainable either to private purchasers or to the Government of the United States; and to that end he is hereby empowered to employ counsel or appoint commissioners to represent the Choctaw Nation in all matters connected therewith, and agree on behalf of the Choctaw Nation that the counsel or commission so employed or appointed shall be paid as compensation for their services not to exceed ten (10) per centum of the sum which may be received from the lands and deposits sold; such compensation to be wholly contingent upon a sale being effected; and payable wholly out of the moneys received therefrom.

That the purpose for which this contract is entered into is to secure the services of the said George A. Mansfield, John F. McMurray, Melven Cornish, and Cecil A. Lyon, parties of the second part, on behalf of the Choctaw Nation".....to bring about the sale of the coal and asphalt lands and coal and asphalt deposits in the Choctaw and Chickasaw nationsfor the highest price obtainable either to private purchasers or to the Government of the United States," as provided in said act of the general council of the Choctaw Nation.

That the special thing to be done under this contract by the said parties of the second part is to render their services to the said Choctaw Nation, to the end that the said segregated coal and asphalt lands and coal and asphalt deposits in the Choctaw and Chickasaw nations may be sold for the highest price obtainable, as provided in said act of the general council of the Choctaw Nation.

That the basis for the services to be rendered, on behalf of the Choctaw Nation by the said parties of the second part, and which they hereby agree to perform, is the failure of the plan of sale provided by existing law to bring about an advantageous sale of said coal and asphalt lands and coal and asphalt deposits, and the wish of the Choctaw Nation and people that steps be taken looking to the formation of a new and effective plan of sale, before the expiration of the tribal governments of the Choctaw and Chickasaw nations.

That the compensation of the said George A. Mansfield, John F. McMurray, Melven Cornish, and Cecil A. Lyon, parties of the second part, shall be 10 per cent of the proportionate interest of the Choctaws in the sum of money which may be received from the sale of the said segregated coal and asphalt lands and coal and asphalt deposits, such compensation to be wholly contingent upon a sale being effected, and payable at the Treasury of the United States, wholly out of the moneys received from such sale.

That the fixed time for which this contract is to run is five years from this date.

In witness whereof we have hereunto set our hands at Fort Smith, Ark., on this 21st. day of October, 1905."
(Signatures.)

The first contract above referred to is a form that was executed by probably eighty per cent of the individual members of the Choctaw and Chickasaw Nations. I will not here attempt to explain the contracts, for with your understanding of our affairs these two contracts are self explanatory.

The undistributed portion of the Choctaw and Chickasaw estate is valued at the lowest estimation at \$35,000,000.00. If Mr. McMurray were successful in having these contracts approved he would be entitled to collect under them at least \$3,500,000.00 for doing that which the United States Government is treaty bound to do for the Indians and the doing of which Mr. McMurray and his associates could not in any manner expedite. As a matter of fact the appearance of Mr. McMurray would hinder rather than promote an early sale of this estate and a distribution of the funds. I understand that Mr. McMurray is not claiming any rights under the contract authorizing him to dispose of the coal and asphalt land which is referred to here as "Exhibit 14," but still contends that the individual contracts, a

form of which is referred to as "Exhibit 15" are valid and that he will be in a position to collect from the individual Indians under these contracts as soon as any part of the money arising from the sale of the tribal estate is distributed among the Indians. The Choctaws and Chickasaws have at this time cash to their credit of approximately \$5,000,000.00 This money is the proceeds of the unallotted land of the Choctaw and Chickasaw Nations which has been sold by the Department of the Interior under the supervision of Mr. J. George Wright, Commissioner to the Five Civilized Tribes. According to Mr. McMurray's contracts with the individual members of the tribes he would be entitled to ten per cent of this money, which would be \$500,000.00 of Indian money, and would not have rendered any services or would not have been in a position to render any services to the Indians. You will note from the terms of the contract that it is to run for five years from its date, and the date is October 21, 1908, consequently the original McMurray individual contracts will expire October 21st., 1913.

I am advised, though I have not had an opportunity to thoroughly investigate the matter, that Mr. McMurray has taken new individual contracts during the past year. I found it impossible to keep up with the movements of Mr. McMurray among the individual Indians, for the reason that the so-called "Choctaw-Chickasaw Treaty Rights Association", which is a McMurray organization, wields great influence with some of the most influential members of the tribe and it is impossible on this account for us to stop the transactions between Mr. McMurray and the individual Indians. It was these conditions

that led us to attempt to have a law enacted that would invalidate not only the original McMurray contracts but any subsequent contract with individual Indians affecting their tribal property. The Indian Appropriation Bill for this year which had in different form passed both the House and the Senate and was finally agreed upon in conference, but failed to pass the Senate for the reason that when the bill was returned from conference to the Senate during the last hours of the session ending March 4th., 1913, Senator Fall of New Mexico started a filibuster which made impossible the passage of the bill before the close of the session.

The amendment which said bill carried and which bears directly not only upon the McMurray contracts but on all contracts made by individual Indians which affect their tribal estate is as follows:

"All contracts, written or verbal, purporting or intended to authorize any person or persons, directly or indirectly, to represent any of the Five Civilized Tribes or any member or members thereof in respect to the payment, distribution, or any other disposition of money or other property of the said nation held by or under the supervision of the United States, shall be absolutely void and incapable of ratification or confirmation unless the consent of the Secretary of the Interior and approval of Congress shall have previously been given in writing to the person claiming thereunder to negotiate such contract, and unless such contract shall be approved as required by section twenty-one hundred and three of the Revised Statutes of the United States, and any person who shall secure or attempt to secure any such contract without the consent of the Secretary of the Interior, or demand or attempt to collect or receive any money payment or any other consideration under any such contract not approved as herein required, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by fine of not less than \$500 or imprisonment for not more than six months, or by both such fine and imprisonment at the discretion of the court. Provided, That this shall not apply to contracts with tribal attorneys for said tribes entered into and approved by the President in accordance with existing law.

The substance of this amendent was first proposed by the Department of the Interior as a means of prohibiting the making of contracts with individual citizens of the Creek Nation pertaining to the equalization of allotments in said Nation. During the last session of Congress I took this matter up with Senator T. P. Gore and with him prepared the amendment in its present form. While the filibuster of Senator Fall against the bill was directed at the legislation carried in the bill affecting the removal of the Apache prisoners of war from Oklahoma to New Mexico, there was a well grounded rumor to the effect that Mr. McMurray claims the honor of having defeated the whole Indian bill on account of the amendment affecting his contracts. This is the rumor that Mr. Wright mentioned to you when we were together at the Severs Hotel at Muskogee.

I should like to see this matter investigated by your Board. I am sure that if the lime-light should be turned on this situation it would help us during the next session to secure the enactment of a proper law for the protection of the individual Indian.

It is contended by some that the form of contract above referred to is not enforcible and is without effect until it has been approved by the Secretary of the Interior. It is further contended that under the legislation affecting contracts with tribal attorneys that the individual contracts would not be good unless approved by Congress. While these arguments are somewhat tenable they are by no means conclusive and disregarding the validity or the invalidity of the McMurray contracts they are made with individuals a great number

of whom are unrestricted and should they be paid a portion of their per capita share of the funds arising from the sale of the undistributed portion of the tribal estate Mr. McMurray would no doubt collect from a great number of these individuals the amount due under the contracts without suit, others he would sue individually and if the amount which had fallen due under the contract did not amount to more than \$200.00 for each individual the suit would be brought in the Justice of the Peace court. You can readily see how enormous would be the task of attempting to protect the individual Indian under such circumstances. These were my reasons for concluding that the safest way to handle the McMurray situation is to have the contracts declared void by Congress and fix a penalty on any attempt to collect under them.

The Choctaw-Chickasaw Treaty Rights Association places great stress on the so-called "tax litigation". Mr. McMurray had individual contracts authorizing him to resist the taxation by the State of Oklahoma of a certain class of land from which restrictions upon the alienation had been removed, the title to the land still remaining in the original allottees, - a copy of the contracts covering the tax matter appears on page 1165 of the second volume of the congressional report No. 2273, which I have referred to above and is as follows:

"McMurray individual contract covering tax matter.

This agreement between certain members of the Choctaw and Chickasaw nations and J. F. McMurray, an attorney at law, residing at McAlester, Oklahoma, witnesseth:

That said members of the Choctaw and Chickasaw nations executing this contract and said J. F. McMurray are the parties in interest thereto; that the purpose for which this agreement is made is to secure the services of said J. F. McMurray to take charge of and prosecute all matters relative to the resistance of the payment of taxes on our lands held by the original allottees; and that said citizens of the Choctaw and Chickasaw nations do hereby agree to pay said McMurray for his services and expenses the sum of ten dollars per head for each Choctaw and Chickasaw citizen. It is hereby stipulated and agreed that each citizen executing this contract shall be liable only for the amount due for himself, his wife, and his minor children and for nothing more.

Said J. F. McMurray agrees faithfully and diligently to devote himself to the prosecution and settlement of said tax litigation, and to represent said citizens before the state courts, the United States courts, before Congress of the United States, and before the state officials of Oklahoma.

Witness our hands this the 21st. day of October, 1908."

(Signatures.)

When the McMurray case reached the Supreme Court of the United States it was consolidated with a case which had been taken up by the authorities of the Choctaw Nation through the proper tribal attorneys and was consolidated with the Creek case involving practically the same issues. Mr. McMurray had Senator Joseph W. Bailey of Texas to argue this case for him before the Supreme Court and in this manner received the credit of having won the tax litigation for the Indians. My appointment was shortly before the case was argued in the Supreme Court. I was not attorney for the Choctaw Nation at the time these suits were brought. I did enter an appearance in the case in the Supreme Court shortly before the argument of the case there, but I did not make any argument in the case; however, I am familiar enough with the facts to know that the credit of winning this litigation is not due to Mr. McMurray. Mr. D. C. McCurtain, as attorney

for the Choctaw Nation, appeared for the individual Choctaw Indians. I have received my information in this matter almost entirely from Mr. M. L. Mott, attorney for the Creek Nation. The brief upon which both Mr. McMurray and Senator Bailey relied in the case was prepared, as I understand, by Mr. Sturdevant, who was associated with Mr. Mott. I wish you would take this matter up with Mr. Mott and give whatever publicity you deem necessary to give in order to show that in this matter as in all other matters Mr. McMurray diplomatically avoided rendering any services until the battle is practically over and until the proper time for him to make a showing in order to lay basis for his claim for fees. I am sure that Mr. Mott would write you very interestingly on the tax litigation situation.

I now change the subject to the claim of Mr. J. F. McMurray against the Choctaw and Chickasaw Nations for a fee of \$27,500.00 due him for his services in the so-called "Freedman Case". This case was won by Mr. McMurray and his associates. The fee according to the terms of their contract with the Choctaw Nation was earned. The fee, however, was not paid for the reason that there seemed to be some misunderstanding in regard to the amount of money expended by the firm of Mansfield, McMurray & Cornish as expenses of their office and expenses of the Citizenship Court while the said firm represented the Choctaw and Chickasaw Nations. Since I became attorney for the said Nation Mr. McMurray has made a very resolute attempt to collect this fee. From the congressional report, No. 2273, which I have referred to above, you will get the information that outside of the money

which this firm received under their regular contract of employment as tribal attorneys they received a fee of \$750,000.00, notwithstanding the fact, that at the time they rendered the services for which this fee was paid they were the general attorneys for the Choctaw and Chickasaw Nations, employed under a contract requiring their entire services, or so much thereof as was necessary, for the business of the Nations. During their term of office as the report discloses they incurred expenses of approximately \$500,000.00. I am enclosing herewith copies of two letters written by the Secretary of the Interior under dates of June 16th., 1908, and August 24th., 1908, respectively, which set out the present status of this account. There were letters written by the Department of the Interior in reference to this matter subsequent to the letters the copies of which I am sending you, but these copies give you the facts in regard to the expense account of the firm of Mansfield, McMurray & Cornish. These letters disclose that \$182,848.30 of the moneys expended by Mr. McMurray and his associates appear to have been expended without authority of law and otherwise not properly accounted for. The letters which I am enclosing will also give you a definite idea of the action taken by the Department of the Interior and the Department of Justice in an attempt to recover a portion of this money and also shows that the cases were never tried but were dismissed. No doubt the enormous influence of Mr. McMurray and his associates was the real reason for the dismissal of these cases and the reason was not as some have set forth, that there was no merit in the litigation.

W. K. M. - 4-10-13 - 13.

On July 12th., 1912, the Secretary of the Interior replied to a note from the President asking for a reconsideration of the question of a payment of the McMurray fee and for further information on the question. I was in consultation frequently with the officer of the Department of the Interior who prepared the reply to the President's note. After the Secretary's letter of July 12th., 1912 went to the President there was no further action in this matter until about the 1st. of February, 1913, when I heard indirectly that the President had directed a re-examination of the question with directions that the question be definitely settled before the close of the administration. I heard also indirectly that the President had in a manner directed the payment of the fee of \$27,500.00 to Mr. McMurray. These rumors caused me to go to the Department of the Interior and ask to be shown the President's letters. I was denied the privilege of reading the President's letter on the ground that it was an executive document. I feared that under the circumstances a payment of the \$27,500.00 might be forced before March 4th., 1913, and on February 6th., 1913, I prepared a resolution calling on the Secretary of the Interior, the President and the Attorney General for copies of all correspondence of whatsoever nature in any way pertaining to the McMurray claim. I then kept in touch with the action of the Department of the Interior until I found that a reply had been prepared to the President's request and, as I understood, had been forwarded to the White House. On that day, which was February 25th., 1913, Senator Gore of Oklahoma, with whom I had frequently been in conference on this subject introduced the following resolution.

"Resolved, That the President be requested, if not incompatible with the public interest, to cause to be transmitted to the Senate copies of all letters, telegrams, reports, opinions, and other documents on file in either the Department of the Interior or the Department of Justice in relation to any contract or claims for fees or compensation on the part of the firm of Mansfield, McMurray & Cornish, or any member thereof, against the Chickasaw and Choctaw Tribes of Indians, which claims are alleged to be due and unpaid and are now pending before the President or any department of the Government; and

Second, To transmit like copies of all such letters, telegrams, reports, opinions, and other documents in relation to any claim on the part of the Chickasaw and Choctaw Tribes of Indians against the firm of Mansfield, McMurray & Cornish, or any member thereof.

Resolved, further, That the President be requested to withhold action on any and all said claims until further action by the Congress or by the courts."

Passed by the Senate Feby. 25th., 1913.

This resolution is not in the exact form that I first prepared it. The form was changed upon the suggestion of Senator Gore. This resolution stopped all action on the part of Mr. McMurray until after March 4th. He is, however, at this time very busily engaged trying to bring about a payment of the \$27,500.00. I am as actively contending that there shall be no payment of the \$27,500.00 until there has been a complete settlement of the claim of the Choctaw Nation against Mr. McMurray and his associates for the \$182,848.30 referred to above. For your information the purpose of introducing the resolution was really not to get at the papers for we were familiar enough with the record in the case that we did not care so much about seeing the papers, but the real object was to turn the light of pub-

licity upon Mr. McMurray and those who were assisting him in the attempt to collect this fee. I say to you that the light of publicity is the greatest weapon that you can use in opposing the consummation of a transaction that is not straight.

In our efforts to prevent the payment of the \$27,500.00 claim we had the hearty support of the Secretary of the Interior, Hon. Walter L. Fisher, and the First Assistant Secretary, Hon. Samuel Adams.

The last subject that I have to treat in this letter is the so-called "leased district" litigation, and before you read this part of my letter read the Memorial of the Principal Chief of the Choctaw Nation in regard to this subject, which is enclosed herewith and which is identified as Senate Document, No. 1007.

I was appointed attorney for the Choctaw Nation on November 28th., 1911, and shortly after my appointment I began to investigate the so-called "leased district" claim. Mr. McMurray also became active on this claim at about the same time. He prepared a bill providing for the payment to the Choctaw and Chickasaw Nations from the United States for the amount due for the land embraced in the leased district. Mr. McMurray endeavored to secure a hearing on the bill he introduced. I went to Hon. Scott Ferris, who was at that time on the Committee on Indian Affairs of the House and advised him of my attitude toward Mr. McMurray and told him that should Mr. McMurray succeed in having a committee appointed to investigate this matter I would appear before the committee and insist that Mr. McMurray be not

allowed to present the claim. I understood at that time that the Choctaw-Chickasaw Treaty Rights Association had made arrangements with Mr. McMurray for the prosecution of this claim. No definite action was taken in the matter again until in the month of December, 1912, when Dr. T. L. Howell, President of the Choctaw-Chickasaw Treaty Rights Association, who is of Choctaw Indian blood, Ed. Johnson, a prominent banker and Chickasaw Indian by blood, and Dr. J. H. Miller, an intermarried citizen of the Choctaw Nation, who is also a prominent stockman, merchant and banker, came to Washington as delegates of the Choctaw-Chickasaw Treaty Rights Association. These gentlemen first insisted that we co-operate with Mr. McMurray in the prosecution of this claim. We told them that we could not recognize Mr. McMurray in this matter and advised them that Mr. McMurray's appearance before the committees of Congress in the prosecution of this claim would make it impossible for us to secure proper consideration of the claim. I am advised that the advice of Senator Gore and Senator Owen to this delegation was practically the same as that given by us. During December, however, Mr. McMurray prepared a memorial on this subject and signed the memorial "J. F. McMurray, Attorney for Claimants" and gave this memorial to Senator Owen to be introduced. The memorial was not introduced by Senator Owen. Before returning to Oklahoma for the holidays we had a meeting with the delegates above named, at which meeting Victor M. Locke, Principal Chief of the Choctaw Nation, D. H. Johnston, Governor of the Chickasaw Nation, George D. Rodgers, attorney for the Chickasaw Nation and myself were present. This meeting was held in Governor Locke's room at the Raleigh Hotel and at

the meeting it was agreed that Mr. McMurray should be eliminated and that Mr. Rodgers and myself should prepare a memorial in the matter of the leased district to be submitted to Congress after the holidays and that the memorial would be signed by Chief Locke, Governor Johnston and the Treaty Rights delegates and all would work in harmony to procure the settlement of the claim. While we were at home during the holidays I received a telegram from Governor Locke saying that he had been invited to attend a meeting of the Choctaw-Chickasaw Treaty Rights Association at Oklahoma City. He stated that he could not attend the meeting and asked me to attend in his place. I went to Oklahoma City and on December 30th. attended the meeting in Mr. McMurray's room at the Lee Huckins Hotel with what I was advised was the Board of Directors of the Choctaw-Chickasaw Treaty Rights Association. There were seventeen men present, including Mr. McMurray and myself. Mr. Ed. Johnston, Doctors Howell and Miller were also present. Mr. McMurray had a memorial which he stated to the directors would be signed by Chief Locke and Governor Johnston and would be introduced by Senator Owen. I disputed Mr. McMurray's statement and told the so-called "Board of Directors" of the agreement to eliminate Mr. McMurray and stated the reasons for our conclusion. I was not supported in my statement by any of the three men who were present at the meeting in Washington. Mr. McMurray advised me in the presence of those assembled that he did not propose to be eliminated. I of course advised Mr. McMurray that we should continue our attempt to eliminate him.

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While I was speaking to these men Dr. Howell went to the door of the room and called me. I went to the door and he told me to get my hat and coat that we would take a walk. I advised the Doctor that I was deeply interested in the matter under consideration and would like to remain. He then advised me that he had no intention of offending me, but that I must leave the room for the reason that the Directors of the Choctaw-Chickasaw Treaty Rights Association were going into executive session with Mr. McMurray and did not want me present. I told Dr. Howell that I did not consider the matter personal and entertained no animosity toward him on account of the situation, but at that time expressed to him my opinion of an Indian Rights Association that would exclude the tribal attorney of the Indians from their meeting and go into an executive session with a gentleman who held contracts with the individual Indians amounting to millions of dollars.

When I next saw Mr. McMurray it was in Washington. He had with him the same delegates who were with him in Washington before the holidays with the exception of Dr. Miller. Dr. Miller arrived in Washington later in January. I had several meetings with these gentlemen during all of which they endeavored to induce me to sign the McMurray memorial for Chief Locke and myself. I did not sign it. I offered them the memorial which I had prepared according to our agreement made in December before leaving Washington and asked them to sign with me. They declined to sign it. Governor Johnston signed the McMurray memorial in my presence.

I presented the memorial which I had prepared to Senator Owen, together with a bill containing the proper provisions for set-

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tlement of the leased district claim, both of which were introduced by the Senator. Later Governor Johnston presented the McMurray memorial which I understand was also introduced by Senator Owen. This, however, was after our memorial had been introduced and the memorial presented by Governor Johnston was not signed by Mr. McMurray. I doubt if Senator Owen would have introduced the memorial had he known it was prepared by Mr. McMurray.

My last meeting with Mr. McMurray and his Treaty Rights delegation was on the 11th. day of January at the Ebbett Hotel. This was prior to the time our memorial was introduced. It was at this meeting that Governor Johnston signed the McMurray memorial. A very heated argument between myself, Mr. McMurray and Dr. Howell took place. It is not necessary to repeat what was said during this argument. I have given you all the facts that are necessary to enable you to understand the position of the contending parties. During a number of the interviews I had with these gentlemen some threats were made about abolishing the office of tribal attorney and certain other tribal offices unless I ceased to stand in the way of Mr. McMurray. These are matters that would not be of interest to either you or the public. However, a number of newspaper articles have been written regarding the contention between myself and Mr. McMurray. I am enclosing an article from the Tulsa World of March 16th., which will give you an idea of how the matter is regarded. The attitude of the delegates of the Choctaw-Chickasaw Treaty Rights Association in the McMurray matter has led many to the conclusion that the delegates and others have a financial interest in the McMurray contracts. I have

not the evidence to conclusively establish this conclusion, but I am firmly of the opinion that these gentlemen are more interested in securing recognition for Mr. McMurray and his contracts than they are in securing the rights of the Choctaw and Chickasaw Indians. The irrepressible Mr. McMurray seems to have the financial as well as the moral support of some of these influential citizens.

The leased district fight is in its infancy. It is a case of vast importance to the Choctaw and Chickasaw people and involves not less than \$10,000,000.00 worth of land and probably as much as \$17,000,000.00 even at the rate that was paid for this land before the opening of Oklahoma. It is very important that you and your Board understand the nature of the interests involved in order that you may assist us in finally eliminating Mr. McMurray. It is hard to get Congress to consider even a just claim if Mr. McMurray appears as a party interested, yet he holds these individual contracts and while his appearance is at this time preventing a consideration of the leased district claim if we are finally successful in having this claim allowed he will attempt to collect ten per cent of the amount recovered. The same is true in regard to other matters. His appearance is delaying the final settlement of the tribal estate and the distribution of funds, yet he will attempt to collect ten per cent of the amount distributed and will claim credit for having brought about the distribution.

The principal issues between Mr. McMurray and ourselves are:

First. - A law must be enacted which will invalidate the individual contracts which Mr. McMurray holds and fix a penalty as a punishment for any attempt to enforce these or any other contracts of

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the same nature.

Second. - Mr. McMurray must not be paid the \$27,500.00 for services in the so-called "Freedman Case" until the claim of the Nations against him and his associates for \$182,848.30 has been settled (this must be settled by the Department of the Interior as the Nations are without legal capacity to sue).

Third. - Mr. McMurray must not be allowed to appear as attorney for the Choctaw and Chickasaw Nations or any class of citizens of said Nations in the prosecution of the so-called leased district claim.

In these matters we would appreciate your interest and your assistance.

As a separate matter I am enclosing herewith our reply to the claim made by the attorney for the Mississippi Choctaws. Will you please read this document, in order that you may understand the attitude of the Nation on the claims made by Mississippi Choctaws.

Very respectfully,

P. J. Hurley.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Andover, Mass., April 21st, 1913.

Hon. George Vaux, Jr.,
President Board of Indian Commissioners,
Washington, D.C.

Sir:

In company with J. Weston Allen, Esq., who represented the Boston Indian Citizenship Committee and other organizations, I made a survey of conditions among the Indians of Oklahoma during the month of March, this year.

I desire to call your attention in this report to certain specific needs of these Indians and have summarized my observations under the following heads:-

- A. The system of leasing Indian lands.
- B. The protection of Indian minors.
- C. The care of indigent Indians.
- D. The work of the Special Agents.
- E. The health of the Indians.
- F. The education of the full blood Indian children.
- G. The protection of timber belonging to the Choctaw Nation.
- H. Congress and the Oklahoma Indians.

This report is based upon personal observations during an extended journey overland in out of the way places. While the party under my direction visited certain portions of the country, Mr. Allen and his force visited other regions. Thus we were able to

cover considerable ground.

We include in our remarks all that could be learned from the Special Agents who come in personal contact with the Indians more than anyone else, Superintendent Dana H. Kelsey, Attorney M. L. Mott, and Commissioner Wright, Attorney James E. Gresham, Attorneys Hastings and Hurley. In short, aside from visiting and photographing many of the Indians, we talked with the officials and went into the records in order to prove the accuracy of all observations made.

RECOMMENDATIONS.

Perusal of the various statements set forth under the foregoing heads indicate that a most serious condition of affairs has arisen in the State of Oklahoma. It is such a condition as to demand not only heroic treatment but immediate treatment. In order to properly cope with it we should have a larger appropriation available for the needs of the Oklahoma Indians; have sufficient number of well trained men in order to carry regulations into effect.

Superintendent Dana H. Kelsey is an able and upright man, but the task assigned him is more than is possible for one man to perform, unless that man be given a certain amount of discretion. I am heartily in sympathy with Mr. Kelsey, but it strikes me that the weak point in his administration is that he is beset by multitudinous duties which he cannot well delegate to others. Mr. Kelsey should be given sufficient working force in order that he might concentrate upon the greater problems in his administration. Considering the amount of work he is compelled to perform each day,

the results achieved by Mr. Kelsey are surprising. But if he could be relieved, as stated above, I think he could devote much more attention to the needs of the Indians in the out of the way districts. There live men and women who seldom apply either to him or the Special Agents. Much of the time of Mr. Kelsey's force is used in answering the complaints of educated Indians who should be able to take care of themselves. This I have found to be a curse in the Indian Service not only in Oklahoma but elsewhere, and I would recommend in so far as possible, that complaints of educated mixed bloods be eliminated. Time that should be devoted to ignorant full bloods and minor children is consumed in answering letters and complaints of persons who are abundantly able to protect themselves.

Mr. Kelsey's Special Agents should be given each two assistants, one of whom is a stenographer and the other an office clerk, in order that the Special Agent might spend practically all his time in the field.

The Commissioner of the Five Civilized Tribes, Mr. Wright, should be concerned more with the protection of these Indians and less with office administration. MR. Wright is in all respects a competent and worthy man, and the right man to be head of the Commission. But the time has passed for selling lands and severing old ties. I mean by this, that he should make the safeguarding of the rights of these Indians first and foremost. He, as well as all other employees in the Service, should exhibit an uncompromising attitude toward that undesirable element so numerous in Oklahoma.

In brief, every man in the Service should be not only on the defensive but take an offensive position against the numberless unscrupulous persons who are defrauding the Indians out of their property. The same is true of the various Indian tribal attorneys.

I would make first and foremost in my recommendations as to the treatment of the Oklahoma situation the above. More backbone is needed on the part of every man. While education, allotment and ordinary routine of business are important, they all sink into insignificance compared with the greatest of all things - the protection of these poor people.

I wish to commend above everything else the work of Honorable M. L. Mott, attorney of the Creek Indians. Mr. Mott's career should be taken by all persons in the Service as a model, an example. For nine years he has fought - frequently almost alone - against the influences for evil in the State of Oklahoma. His tribe is now richer than when he became attorney. This cannot be said of all Indian attorneys. Mr. Mott has a clear insight and a firm grasp on the entire situation when he states that what the Indian Service in Oklahoma needs above everything else is fighting men. His contention that the removal of further restrictions and the placing of the remaining restricted Indians under the control of the State of Oklahoma spells disaster for the Indian - and worse than disaster - is correct and fully justified by the facts.

Mr. P. J. Hurley, attorney for the Choctaws, has waged battle against the McMurray interests and up to the present has defeated the ratification of the McMurray contracts. These, if carried into

effect, would mean the loss of hundreds of thousands of dollars, for McMurray claimed large commissions for services rendered the Indians. It does not appear, so far as I can judge, that McMurray has accomplished any work of real benefit to the Indians.

Mr. Hurley's long letter explaining the McMurray matters is herewith submitted in appendix C of this report. He deserves commendation for his efforts on behalf of the Choctaws.

James E. Gresham, Esq., attorney for the Seminole Indians, by persistent effort has secured the conviction of numbers of persons guilty of defrauding Indians. Some of these men are now serving sentences in prison. Mr. Gresham's activities have made him exceedingly unpopular in his community, yet he has continued to protect his wards. Attorney W. W. Hastings, representing the Cherokees has also incurred the enmity of grafters because of his uncompromising attitude in behalf of the Indians.

Outside of official circles Mr. Grant Foreman of Muskogee has done all in his power to call attention to the bad situation. Through magazine articles and by cooperation with attorney Mott, he has done his part towards protecting the weak, and deserves praise.

In what I have said regarding these gentlemen, I am in no sense either exaggerating or unduly complimenting them. I am merely stating facts. They appear, above all other good men, who have loyally represented the Department in Oklahoma, to be possessed of a clear conception of the situation in its broad sense. They are the types of men I would like to see at the head of every reservation and every department in the United States Indian Service. I wish that their

recommendations both with reference to what legislation is needed in Oklahoma as well as in Congress could be read and understood by all men. Nothing is more to the point, nothing can be more just.

A. THE SYSTEM OF LEASING INDIAN LANDS.

When the law was passed by Congress permitting certain Indians to lease their lands for five years, and their homesteads for one year without the supervision of the Department, a grievous error was made. The result has been that while some Indians are benefited by this custom, in most instances it has proved a curse rather than a blessing. Under the guise of leasing, many Indians have signed either mortgages or deeds to their property. Particularly is this true where the papers are presented at the Indians' cabins and are signed far from the presence of a Governmental representative. The leasing system as practiced interferes with the sale of property. Frequently Superintendent Kelsey finds it to the best interests of some aged Indian to sell his property and use the proceeds in maintaining him during his declining years. One of the many petty grafters hears of the proposed sale, visits the Indian, pays him \$10. or \$20. for a lease of one year and when the prospective buyer of the property appears, he must either make terms or fail to secure possession. Frequently it is necessary for either the buyer of the Superintendent to pay \$100, \$200 or even \$300 bonus to the lessee. It is a most pernicious custom and should be changed. Many Indians have no conception of real values and frequently they lease certain lands for five years for a few dollars per year. The lands leased are seldom properly farmed, the white man desiring to get all possible

out of the ground in a short time.

If the field agent's powers were extended and they given sufficient help, they could supervise more carefully the entire leasing system.

TROUBLE WITH OIL LEASES.

Mr. Kelsey informs me that he has more difficulty with the oil grafters - with men who hold up the transfer of Indian property, or interfere with the oil companies - than with the great oil companies themselves, the latter being composed of honorable business men, who desire to operate and do not stoop to graft. Not so, these middle men. Their attitude can best be understood from the following case:

A certain white man leased forty acres of land in the oil belt for, ostensibly, agricultural purposes. He agreed to pay the Indian \$40.00 per year. When oil was discovered in the immediate vicinity, the oil men secured an oil lease on the same property from the Department. The white man would not permit the oil men to operate, and drove them off at the point of a shot gun. Although the Government preferred to have the oil wells drilled, and thus increase the income of the Indian ward, it was powerless, and the oil operators were compelled to pay the white man \$1200.00 cash before he would cancel his agricultural lease. The land was worthless for agricultural purposes. It was simply a "hold-up game" on the part of the white man.

This occurs not only in the oil country, but elsewhere, and

petty grafters are continually interfering and causing trouble. These speculators reduce the value of oil and other property. Oil men are skeptical about taking Indian leases. Commercial values depreciate.

Down in the Choctaw and Chickasaw country there are a number of white men who secured control of thousands of acres of Indian land, either by lease or purchase. Their sole purpose seems to be to cloud titles. These are the very men who issued a broad-side recently against the proposed bill in Congress prohibiting the leasing of Indian lands. They are not legitimate farmers, but mere speculators, and they retard commercial enterprises throughout a large section of the country. They take four to five year leases and have these signed by the Indians in advance. They exercise a most pernicious influence, and, as stated above, not only embarrass the Indians, but injure the fair name of Oklahoma.

FINDINGS.

My recommendations are that no more land be leased save under supervision of the Department. Also that the oil royalties on leased property be conserved even more than at present. \$40. or \$50 (or at the most \$75) is sufficient for any Indian and these large sums - often totaling thousands of dollars - paid to the Indians is worse than waste, for it encourages dissipation, attracts a swarm of grafters, and does harm instead of good.

B. THE PROTECTION OF INDIAN MINORS.

The subject is so lengthy, that it is difficult to treat adequately in a brief summary. Mr. Mott in his famous "Mott's Report", presented by Honorable Charles H. Burke in the House of Representatives, December 13, 1912, stated but a fraction of the truth, surprising as was that report. Both Mr. Allen and myself looked into the management of minors' estates on the part of the so-called "guardians" and the Probate Courts. To say that we found a shocking condition is putting it mildly. Most of the guardians appointed over persons of minor years, or of weak minds, are absolutely lost or dead to all sense of honor and decency. In most of the cases these humanities which appeal to the average business man in the East, are utterly lacking in these persons. The court records and the newspapers, the files of the Special Agents, the data accumulated by Mr. Kelsey and Messrs. Hastings, Gresham, Cook and Mott - all these simply team with graft and rottenness almost beyond belief. In order to give you some conception, I herewith append several actual cases as recorded. If you will read these, you will form some idea of what has been going on in the State of Oklahoma the past few years, and of the necessity of full protection on the part of our Congress of these poor people. To place them under the care of professional guardians in Oklahoma, is as if a farmer gave over his flock of sheep and lambs to the tender mercies of a pack of wolves!

FANNIE LATTY CASE.

Fannie Latty is a Cherokee girl about fifteen years old, who

had an allotment of eighty acres of unrestricted land. A guardian was appointed for her and the land sold for a little more than half its value, about \$200.00, practically all of which, except \$17.10, was used for costs of sale and guardian's expenses, so that the Indian girl received practically no benefit from her allotment. Fannie Latty is now a public charge with all the property she received as a member of the Cherokee tribe dissipated before she became of age. She was for a while in the Children's Receiving Home at Guthrie, Oklahoma, and is now in the County detention home of Muskogee County, being supported by the tax payers, and the Government has been asked to take charge of the girl and see if she cannot be put in a school somewhere at our expense. This case is one where the Indian Department officials had no supervision over the land and when the matter was brought to notice, it was presented to the State Department of Charities and Corrections, a full investigation made, and reported in the monthly bulletins of Miss Kate Barnard, Commissioner of Charities and Corrections, in which the statement was made that there were thousands of similar cases where the entire proceeds of sale had been literally eaten up with costs, the land having been regularly sold and the property dissipated by the guardian.

THE DOHERTY CHILDREN.

Walter and Mamie Doherty, mixed blood Cherokees. They have seven allotments; in the family are eight minor children. Two are "new borns", and their land cannot be disposed of.

In 1909 the father of these children was appointed guardian for five of the minor children. Immediately thereafter he sold their allotments for \$9700.00, and he began to dissipate the funds, and, in 1911 the mother of these children appealed to the Government for assistance. She and these children were found in perfectly destitute circumstances. The oldest child is fifteen years of age. The father had brought the family here to Muskogee and had deserted them. All they had was the \$15.00 per capita payment, which was immediately advanced to them by the Indian Agent's office for the purpose of buying groceries and other necessities. With the assistance of Government Attorney Ward the case was transferred from Craig County to Muskogee County, under the jurisdiction of County Judge Thomas W. Leahy. There was no trouble had in getting action by the County Court in this case, and the bondsman has had to pay back to the Court over \$5000.00. This was an unrestricted case, but through the charitable organizations, the Government and the County Court, some of the property of these minors was recovered. This is a case of a quarter blood Cherokee first procuring a large sum of money from the oil property of his minor children, which was not secured through his efforts but because they were Indians, and after dissipating it, abandoned the family. But for the efforts of the Government officials and the County Courts of Craig and Muskogee Counties, these people would have become public charges.

THREE MINORS.

In the case of three minors in the jurisdiction of Special Agent L. B. Locke, the guardian decided to sell these three tracts,

and asked the Court to appoint a Board of Appraisers. This was done. They hired a large conveyance, drove to a creek near the allotment, spent the day in fishing and enjoying themselves. The costs of this outing, together with the attorney fees and bills for various expenses, amounted to a considerable sum. The land was sold for a song - far below its actual value - and the report of the guardian showed that the first minor, even after the sale of his property, owed \$38.00, and the other minor owed \$70.00. The guardian, therefore, asked the Court to permit the sale of the third and last allotment, in order that this indebtedness might be wiped out; which was done.

A full blood Cherokee, now about 28 years old, was allotted valuable land in the vicinity of Bartlesville. She had no relatives, and at the age of four years she was taken into the family of a white man, but not formally adopted. When the allotments were made, he was appointed her guardian. When she became of age he was discharged. During his guardianship about \$4500.00 came into the guardian's hands as guardian. Upon final accounting he filed receipts for over \$2,000 as having been paid his ward, but which, it is claimed he admitted, never were paid to her.

When this girl became of age a new oil lease was made with her, for which a bonus of \$8000.00 was paid, which money went into the hands of the guardian and which it is alleged he likewise admitted he diverted to his own use. It is also claimed that approximately \$2500.00 royalty has been received by the guardian for this girl. It is claimed that the guardian has admitted that he owed this girl approximately \$20,000.00. The ward lived in the home of her guardian

ostensibly as a servant. She is of weak mind and really an incompetent. In September, 1910, the guardian secured a divorce from his wife, and afterwards, it is claimed, continued to live with his ward.

While the guardian was thought in the early days to have been thoroughly protecting the interests of his ward, of late years it is reported that he became a habitual drunkard and gambler, and dissipated all the money belonging to the ward, together with money belonging to his own children. Every possible effort was made to try and recover the money belonging to the ward. The only property left was a five story business building in Bertlesville, which brought an income of \$800.00 a month. The guardian sold it for something like \$15,000. and it is understood he gambled away \$5,000 of this amount the first night after the sale. Through the Government, Attorney Bynum attempted to tie up the cash that he got for this building, for the girl, but the injunction was dissolved by the District Court. The amount tied up in the injunction was something like \$13,500.00. The United States Attorney has the matter in hand, but it has been impossible so far to secure any accounting. The attempt was also made to have another guardian for this girl appointed, who could properly institute suit for the recovery of this money, but she, in the meantime, moved to Arizona or California, and later to Shawnee, Oklahoma, and the question of residence was brought up, and that petition was denied. The question has not yet been settled. The case is to be taken up through the State Department of Charities and Corrections on the ground that she is an incompetent.

THE STORY OF LENA COSAR.

This young woman is a full blood Creek minor and lives in Creek County. Her former guardian was J. P. Solis. He made a report covering the period between the middle of 1910 and March 1912. Upon his death Joe Bruner became guardian. This report showed that Solis, as guardian, purchased \$2,650.00 worth of bank stock in the Oklahoma State Bank of Sapulpa. This stock was sold to him at par. After the death of Solis an attempt was made to secure the approval of the purchase of stock in the above named bank. But the guardian, Mr. Bruner, resisted payment. He enquired of the bank examiner of the condition of the Sapulpa bank and it was reported to him to be solvent, and although the surplus on hand showed impossibility of declaring any dividend, however, an affidavit by an officer of the bank set forth that a ten per cent dividend would be declared. The court was advised by the guardian that it would have to assume responsibility for this purchase, as guardian Bruner was compelled to take the stock, the stock was assessed one hundred cents on the dollar and shortly thereafter the bank was closed.

WILLIAM P. MORTON, GUARDIAN.

This man was guardian in thirty-one cases involving more than fifty minors. In all but one case Morton as guardian had been dealing with Morton Brothers in the purchase of merchandise for his wards. There is but one exception, that is of a minor eighteen years of age who was away at school. A Government officer on behalf of these minors protested against such practice and asked to file exceptions and proceed in all of these cases. I am informed that the Judge did nothing.

THE CASE OF J. WOLF, DECEASED:

He owned 180 acres of valuable land. There were two heirs, Lucy Cooper and Ahsey Brown. This land was sold for \$1200. and there was \$800 due each heir. The Court record of Tulsa County shows \$300. expense which it was claimed is the indebtedness of the deceased. There was also a charge of \$50. for the advance of money to the heirs. Under the statute one cannot charge a full blood Indian's estate with debts, yet the ignorant heirs allowed this to be settled at their expense.

Ahsey Brown said that she had been carried to the town of Tulsa under representation that her brother's land had been sold and that \$170. was coming to her. She signed papers and never knew that the land had been sold for \$1200.

CONTINUATION OF WILLIAM P. MORTON, GUARDIAN:

He had a ward named Sam Bighead, a full blood Indian boy five years of age, who owned 560 acres of valuable land, much of which produced oil. 80 acres of this land was sold for the sum of \$10,000. cash. Yet, although this boy owned 480 acres of land and \$10,000. cash, he was placed in the Creek Orphan Asylum where he died May 18, 1910. The boy, although entitled to proper care and treatment, was placed with the children of paupers. Why did this guardian wish to have on hand such a large sum of cash? Since the ward was public charge, what need had he for \$10,000? One may theorize that it was because he wished to use this fund in other ways.

When the poor boy died, there was left of his \$10,000.00, \$2,884.30 in cash and a \$5,000.00 loan on first mortgage.

Death did not stay the actions of the guardian, he became appointed administrator. As administrator he accounted for \$11,424.30. He reported that \$8,074.96 was the balance on hand of the estate. Of this sum \$5,627.00 was divided into four equal parts for four heirs. However, the Government Special Agent Farrar, contends that in three of these cases attorney fees of 25 per cent each were charged. So finally, out of the estate of \$11,424.00, \$4,409.85 was placed in the hands of the heirs. Further comment on this case is not necessary.

Mattie West sold 80 acres of land to a man named Cahill. The Indian claims that she was promised \$500. but received \$84. She says she does not understand the transactions.

CASE OF YARMA HARJO:

This Indian says that several of the heirs were kept going from one place to another on the cars. That is, in charge of a white man, they visited various towns to sell their land. The price was to be \$800.00, but the attorneys claimed that traveling used up all of the money and, therefore, only \$75. was coming to them out of the promised \$800.

THE CASE OF REUBEN MCCLISH:

This Indian lived in Chickasaw Nation and had a guardian. The child had been left \$6,000 and the guardian had given a bond for \$3,000. The Government agents checked up the accounts and

found the guardian was short in the sum of \$4,400. The County authorities did not seem inclined to take action, so the bondsmen were sued. The guardian's partner, a lawyer, was allowed an attorney fee of \$500. and the guardian himself was allowed \$500. This was in addition to the shortage of \$4,400. The child was not educated by the guardian and is now being cared for by his aunt, having no other means of support.

THE PURCHASE FAMILY:

Of this family of 9 persons, 8 of them died of tuberculosis in one year. This is a record seldom equalled anywhere in the United States. Whether these Indians were properly treated, I am unable to state. They rest in a little, primitive cemetery a few miles from Stilwell, Oklahoma. The inherited land, estate of Henry Purchase, was sold for \$1200. Eighty acres of this was bottom land, very rich and worth \$70. or \$80. per acre. Edward Purchase, a minor, and the surviving heir, was taken to St. Louis by the administrator and the doctor took good care of him and saw that he was properly treated. They charged him \$700. for board bill and other expenses. The doctor's expenses were also paid out of the entire estate, Edward Purchase informed me, having received \$180. He protested but was unable to recover any additional sum.

After hearing the statement of Edward, I am of the opinion that the care of him in St. Louis was not dictated by motives of humanity, but because he wished to keep him alive until he could sign a deed.

After he became of age, he was taken to his little home and it does not appear that either the guardian or the doctor, or others, were concerned in his welfare.

As an illustration of the extremes to which these grafters sometimes resort, my attention was called to a case of an adult who had died and left a valuable property. In order to get large allowances from the estate, padded expense accounts were put in for the burial robes, metallic casket, etc., although the relatives, who attended the burial, stoutly insisted that only a box, and the cheapest clothes were used. In this instance, the grafters knowing that an investigation was to be made, exhumed the body and placed same in a metallic casket, and carried off and destroyed the pine box in which the burial had originally been made.

THE CASE OF HENRY PRITCHARD.

This Indian died and was buried in an ordinary \$20 coffin, and in very plain clothes. \$150. was charged by the administrator for a metallic coffin and \$25. for a suit of clothes, whereas the total expense of interment was not beyond \$40.

The administrator sold 160 acres of land for \$300. It is claimed that the appraisers of the land were drunk when they went out to make the appraisement. Tom Roach, chief of police, protested and the matter is now under investigation. But for the protest of Roach, practically all of the \$300 would have been swallowed up by the administrator.

FINDINGS.

These have been somewhat covered in previous remarks. It is only

necessary to say that the thousands of cases in which guardians have been unfaithful to the trust, the laxity of the Courts coupled with the high value of the oil and mineral tracts, and the worth of the farm land - all these things conspire together to work injury to the Indian minor. When minors' affairs were managed by the Interior Department, they were in far more satisfactory condition than at the present. Probably we cannot recover what was lost, but we should certainly conserve what remains. Mr. Mott states between 40 and 50 per cent of the lands of the full bloods and restricted Indians remain intact. Not one foot of these should be permitted to pass from their ownership, save with the sanction of the Secretary of the Interior.

C. THE CARE OF INDIGENT INDIANS.

Many of the restricted Indians as well as the mixed bloods and freedmen are today penniless. Just why the restricted Indians should have lost so much of their property, since they are supposed to be fully protected, passes my comprehension, but such is the case. When they sign leases for a length of time, although they do not lose the property in the sense that it is sold, it passes from their possession into the hands of the renter and is, to all intent, the same as if they had sold it. The result is that when the Indians have spent the money, or the money received from the sale of inherited lands, they are reduced to penury.

Many old and destitute Indians were observed by me in my travels, particularly in the districts lying about the towns of Wewoka, Hanna, Sylvian, Fristow, Eufaula, Beggs, etc. Mr. Allen observed the same

thing among the Choctaws and Chickasaws. The Cherokees do not suffer so much although there is considerable suffering among them, but the Creeks and many of the Choctaws are in bad shape.

Their cabins are for the most part small, scantily furnished and not to be compared with the log cabins inhabited by these people in the period of their prosperity between 1850 and 1895. I hand you under separate cover a number of photographs mounted and recorded to illustrated this point.

These Indians become indigent not only because of the loss of their lands, but through changed conditions, for which we, and not they, are responsible. I would particularly call the Board's attention to this:-

In the old days all of these Indians owned cattle and hogs and ponies. There were few if any fences in Indian Territory, the hogs waxed fat on acorns, roots and other food and required no attention. The cattle grazed in the valleys. The Indians possessed an abundance of meat. Now that the whole region is fenced and the State of Oklahoma has passed and placed on its statute books stringent laws against trespass, it is impossible for these Indians to raise hogs and cattle as formerly. All such property is taxed, so I am told. If you will refer to a separate paper which I have entered as appendix A to this report entitled "The Sale of Adult Indian Lands" you will find therein a letter from a citizen (prominent attorney of Oklahoma) regarding the taxes of this property. His name is withheld in my article, but as you may desire to know, it is F. H. Reed, Esq., Wewoka, Oklahoma.

Many Indians become indigent because of inability to pay taxes, as indicated by Mr. Reed in his open letter.

Another contributory cause to poverty is the inability of the older Indians to keep such monies as are paid to them. I mean by this, that while the women are entirely competent to handle small sums such as \$25. or \$50. and more so than the men, yet the payment of hundreds of dollars, and in some cases thousands of dollars, is a curse instead of a blessing. The grafters have a system of espionage and seem to ascertain whenever a check is cashed or payment made by Agent Kelsey or by land buyers. They wheedle this money out of the Indians on one pretext or another.

Miss Bernard, in charge of the State Board of Charities, is unable to cope with the situation and frankly admits so. The citizens in the various towns admit that they have no funds to care for these people. Mr. Frank Adair, ex-sheriff of Adair County, states that within a year or two most of these indigents must either steal or starve, that their condition is far worse today than it was thirty years ago. And I might quote other authorities.

FINDINGS.

The above brings us face to face with stern reality. Since we have allotted these Indians and have failed to afford them the same protection we afford the white citizens either in Oklahoma or elsewhere, we are responsible for their present condition. Instead of permitting affairs to drift, I would respectfully suggest that we take over immediately large tracts of land controlled by Commissioner Wright of the

Five Civilized Tribes. That such of these lands as are of value for farming purposes be set aside in 40 acre tracts. That the indigent Indian be placed on said tracts. That the tracts be held in trust and that the farming implements, wagons, horses, household goods and cabins purchased or erected on such tracts be held in the name of the United States Government. Thus the petty grafters will be prevented from buying, or persuading the Indians to mortgage their chattels. It seems foolish to me for Commissioner Wright to sell these great tracts owned by the Choctaw and Chickasaw when we have thousands of Indians in Oklahoma who are homeless and almost paupers. I strongly urge that you consider this recommendation.

The Choctaws and Chickasaws would have to be paid, of course, but there is plenty of money in the Treasury to the credit of the Five Civilized Tribes and some equitable arrangement could be put into effect.

D. THE WORK OF THE SPECIAL AGENTS.

In view of the criticism made in Congress on the Special Agents, notably by the Delegation from Oklahoma, it affords me great pleasure to commend their work. These men have labored under adverse conditions. They have been criticised, they have been in the field while others sat at desks. They come in touch with the Indians and stand between the Indian and the grafter. I consider them of primary importance in the Service in Oklahoma. While the Bureau conducted by Mr. Wright is of great importance, what is more vital (and this is said in no disrespect to Mr. Wright) is that we should have strong,

courageous, properly equipped and supported men in the field who will represent the Indians before the Probate Courts, before guardians; men who will see that the Indian is protected in his leasing of land, his buying and selling, etc.

I met numbers of these Agents and wish to commend them all. In some minor details, a few of the men might need correction. But the subject is so big, that we should waive any lapses in the lesser things. A little more ginger or backbone on the part of three or four of these men is desirable. But as a whole they are doing a noble work. Because they have to stand the brunt of the battle, they have been the object of bitter attacks on the part of the newspapers and others, all of which is inspired by the grafters. In my recommendations, in the beginning of this article, I stated that these men need two clerks each in order that they might take the field. This is very important. Special Agents should be traveling from cabin to cabin as we did. If they remain in their offices, they receive the usual number of half educated and mixed blood Indians, most of whom are unrestricted and should be abundantly able to take care of themselves. They do not see as often as is desirable the indigent people, the full bloods, ignorant Indians. Therefore, I would recommend that they be made first and foremost, field men.

The powers of these Special Agents should be extended. They should be given more discretion. They should have at their disposal a fund to alleviate distress. I found some cases of suffering and ascertained that no money had been given these Indians for the reason that Superintendent Keelsey had none at his disposal.

The Special Agents have built houses for the Indians in numerous instances and have virtually set the Indian up in farming. All of this is most commendable, but the property should all be held in the name of the United States Government as indicated previously.*

When the Special Agents recommend that certain things should be done, Mr. Kelsey should issue orders to that effect immediately. This particularly applies to sale of lands and leases. The referring of all these matters to Washington causes months of delay in the Indian Office - where work does not seem to be rapidly done in spite of the large force of clerks at the beck and call of the Commissioner of Indian Affairs. Mr. Kelsey should approve leases and sales. Under the present system of referring such matters to Washington, sales go by default or advantageous leases are often delayed. Leases, etc. are passed on by clerks in Washington who do not know local conditions. The buyers become disgruntled and we thus furnish a club to the Oklahoma delegation in Congress. If both Mr. Kelsey's and the Special Agents' discretion and powers were extended and work of this nature done in Oklahoma, much criticism would be avoided, and the Indians benefited.

E. THE HEALTH OF THE INDIANS.

There is considerable sickness among the Five Civilized Tribes, particularly in out of the way places. I am not satisfied with what

* See Superintendent Kelsey's recommendation of December 10, 1912, with reference to the purchase of personal property from funds in the control of the Government, to take the title in the name of the United States, to prevent them from mortgaging and disposing of it for nothing.

has been done by the medical branch of the Indian Service toward alleviating distress. I found a number of sick Indians, but heard of more. Agent Kelsey informed me that there was a doctor on duty in Oklahoma who has been traveling from place to place preparing tables as to the exact percentage of trachoma, tuberculosis, etc. There is entirely too much statistical work in the Indian Office. This should properly come under the Smithsonian Institution, for it is more technical and scientific, and less humanitarian. It does not matter whether trachoma is 32.6 per cent in one place and 19 per cent in another. The essential thing is that trachoma exists and that it should be treated immediately. The doctor, instead of compiling statistics, should have at his disposal a number of subordinates, medical men, and they should travel from place to place carrying with them medical outfits and treating the Indians throughout the Five Civilized Tribes. That, it seems to me, is vastly more important than statistical work. The same criticism applied to White Earth, where the Indian Office spent a great deal of time ascertaining the exact percentage of disease. In the meantime many Indians died.

I would strongly urge that since trachoma and tuberculosis are prevalent, that we treat these diseases instantly and defer our work as to the number of cases, percentages, etc. What the Indians in Oklahoma need is immediate medical attention and medical supervision, covering a period of some time.

The Special Agents should be encouraged to act independently of specific orders in case of sickness or distress. They should be given authority to, on their own initiative, employ local doctors in extreme

cases. It is no more than human that such a ruling, or authority, be granted.

Speaking of sickness and distress, it is well to remark that when Indians are near death, there are always numbers of white men, or educated mixed bloods, who wish to be appointed administrators or guardians. Frequently telegrams and telephone messages are sent to the heirs even before the patient is dead, begging that such and such a person be appointed in charge of the estate. Many of these Indians die with little or no medical attention. The Special Agent should see that a physician is present and also that no appointment of administrator of the estate or guardian for the minors, should be made until he is thoroughly satisfied that the estates will be properly administered.

Many of the huts inhabited by the Indians are unsanitary and in a dilapidated condition. These breed disease, and much of the sickness is attributable to the unsanitary manner in which the Indians live. The Special Agents should use every effort to remedy such conditions.

F. THE EDUCATION OF FULL BLOOD INDIAN CHILDREN.

In traveling through the Cherokee, Creek and Seminole countries and during Mr. Allen's observations among the Choctaws and Chickasaws, we were impressed with the large number of children in remote districts who are unable to go to school. As to the number of these children I am unable to state, but there must be several thousand of them who, for various reasons, are not being educated in the schools of Oklahoma. This is because there are no schools near at hand; or

that the Indians are poor and do not own teams and cannot drive the distance of four to eight miles in order to place their children in school.

Some of these little folks have been walking as far as two or three miles. They have no bridges in the country (that is - in the remote districts where the full bloods live), and in case of stormy weather, it is impossible for these Indians to attend school regularly.

A offer as a solution that we go back to the Indian policy of thirty years ago. Before statehood these Indians maintained fairly creditable schools of their own, and they allowed for the board of certain children out of a general fund. Children who lived several miles from the school were boarded in the homes of other Indians living from a half mile to a mile and a half of the school. Thus, they were able to attend regularly; Saturdays and Sundays they spent in their homes.

If the Government would adopt this policy, it would be unnecessary to build more and expensive school houses or hire additional teachers. It is the only sensible and feasible solution of the problem. It is impossible to transport these children to the Oklahoma state schools in most instances. It is unwise to take them away from their parents and send them to distant boarding schools.

The above plan is entirely feasible, and all it requires is a reasonable appropriation to carry it into effect.

I include in my appendix, B, school suggestions submitted by Superintendent Dana H. Kelsey. These he has previously put into form of a report to Ex-Secretary Walter L. Fisher. Under present conditions it is almost impossible for these children to attend school.

G. THE PROTECTION OF TIMBER BELONGING TO THE CHOCTAW NATION.

This is a very important subject. Commissioner J. George Wright of the Five Civilized Tribes, has given the subject much thought. I am agreeing with him as to the value and importance of this tract but do not agree with him that the farming land should be sold. We need that as farms for such of the Indians as are paupers, or will soon become paupers. Commissioner Wright, under date of April 9, 1913, in a long letter to me, covered the subject somewhat exhaustively. As the country is rough and mountainous, the pine timber is scattered and not as valuable as the pine timber on other reservations nearer railroads. Yet it is valuable and should be protected against fire and theft. This timber should be sold on the best terms obtainable, or it should be preserved as a National forest reservation. I quote the following paragraphs from the report made to me by Commissioner Wright, cited above.

"In 1910, after a conference with President Taft, Secretary Ballinger directed that the timber on these unallotted lands be re-appraised and preparations made for sale of both lands and timber. An appropriation of \$30,000.00 was authorized by Congress, reimbursable from Choctaw tribal funds, to make such appraisement, and all so used. Conferences were had with the Secretary, Commissioner of Indian Affairs and General Land Office, relative to securing the services of the best available timber appraisers, and eventually Mr. William M. O'Neill, Superintendent of Logging on the ceded Chippewa Indian lands in Minnesota, was detailed by the General Land Office to visit Muskogee for a conference and investigation of the timber

and lands, and directed to bring a suitable man for the position of Chief Timber Estimator.

"Mr. O'Neill visited Muskogee in October, 1910, accompanied by Fred W. Rayburn, who was detailed from Government service in Minnesota and considered the best qualified timber estimator, and who subsequently was appointed Chief Timber Estimator.

"Mr. O'Neill, accompanied by Mr. Rayburn and a representative from this office, spent about a week inspecting the lands and timber and subsequently submitted a report of his observations, wherein he stated in conclusion as follows:

"The reservation, taken as a whole, is of more value for its timber than its agricultural lands, although there is a considerable quantity, amounting to several hundred thousand acres, of good farming land. (See note at end of letter) As a lumber proposition there are geographic and other reasons, why it is not a poor man's proposition, and if the timber lands were offered for sale in small quantities of from 160 to 640 acres, no man being allowed to purchase more, only the best tracts would be sold and as there are no railroads in there at present, and unless capital were induced to come in for the purpose of getting this timber, there will be no opportunity to sell the timber if it is purchased, it is more than probable that the best and most valuable of the timber would be cut and hauled in some way by team to market, and the balance allowed to go to waste. I would strongly advise that at least the mountainous and heavily timbered portions of the reservation, be segregated into groups, these groups to be composed of timber tributary to the valleys, through which logging roads could be built, and these groups, regardless of how much acreage they might contain, sold to the highest bidder; and all the timber upon the reservation sold to any bidder or corporation who would pay the most for it. By this means capital might be attracted into opening up the reservation by building a railroad across it to reach the timber purchased by them, giving the owners of timber on other lands a chance to dispose of their holdings, and the purchasers of agricultural lands a market for their produce. In doing this it would not be good policy to count as timber lands only those that had no agricultural value whatever, as on the foothills of the mountains, and the table-lands above the valleys of the streams, the best grade of timber grows, and large purchasers are not going to come in there and bid only upon the inferior timber.

"If it is the intention of the government to dispose of these lands in the near future, so as to cut down the expense of supervision

thereof, discharging the officers of the Department and leaving the Indians to take care of themselves, it certainly would be wise to put this timber and lands upon the market in as large quantities as possible, otherwise a great many of the mountain tops and rough valleys will still be owned by the Indians for all time.

"I wish to return my thanks for the courteous treatment extended to me by you and your force, and for the facilities given me to make the investigation; and especially to your Superintendent E. L. Johnson, who had a better knowledge of the lands and timber resources than anyone with whom I came in contact.

Signed: W. M. O'Neil,
Superintendent of Logging.

"Note: (The great part of lands suitable for farming along the roads traveled by O'Neil had been allotted to Indians, of which he had no knowledge. J. G. W.)

"Thereafter Mr. Rayburn, with about 20 timber estimators, mostly from Minnesota, all of his own selection, and each of whom also furnished undisputed evidence of their qualifications, re-estimated the timber on all of these unallotted lands. The work begun in November, 1910, and completed June 30, 1911. The total area examined was 1,273,412 acres, the total amount of pine found 1,043,893,000 feet and of hardwood 141,339,000 feet, being approximately 1,000 feet of (yellow) pine per acre.

"A copy of the report of Mr. Rayburn, dated July 27, 1911, shows the character of the land and manner of performing the work. Detailed reports of each estimator, or examiner, covering each 40 acres examined, giving the number of feet, character of land, etc., and approved by the Chief Estimator, are on file.

"There is also herewith copy of a letter from Mr. Rayburn, dated July 27, 1911, recommending the manner of disposition of such lands and timber, and that a minimum price be fixed on a basis of \$2.00 per thousand feet B. M. for the pine, \$1.00 per thousand feet B. M. for the hardwood and \$1.00 an acre for the land, and that no limitation be put upon the number of tracts or acres to be purchased, or the amount of timber on land by any one person or group of persons.

"The entire area was, therefore, divided into groups or tracts under the supervision of Mr. Rayburn, such tracts varying in area from 15,000 to 124,000 acres each, as indicated on the map. Said map was submitted to the Department with a draft of regulations and thereafter on January 11, 1912, regulations were promulgated and approved, providing for the offering and advertising of such lands and timber for sale by sealed bids to be opened at Muskogee May 1, 1912, and submitted to the Department for consideration."

I omit portions of Commissioner Wright's report. It seems to me that of those thousands upon thousands of acres of fairly good land some should be set aside as indicated in my recommendations under C "THE CARE OF INDIGENT INDIANS."

If the timber could be properly guarded, as pine timber values are constantly increasing, it seems to me that the Indians themselves could cut much of this timber and haul it out where it could be marketed, thus receiving direct benefit in cash payment. But not being well posted in timber matters, I would not urge this as against Mr. Wright. I would however urge that in not only the Choctaw Nation but in all other portions of Oklahoma any and all lands suitable for agricultural purposes be set aside, by any possibility whatsoever, in order that forty acre tract farms may be assured to these Indians, and that a restriction of at least twenty-five years be placed upon each homestead tract.

H. CONGRESS AND THE OKLAHOMA INDIANS.

I am quite aware that this is the most delicate of all the Oklahoma subjects under consideration. It is fraught with certain

dangers. Not being an employee of the Indian Office, I can speak more frankly than would be possible otherwise.

The Oklahoma Delegation seems to have influenced Congress to a certain extent. The members have taken the position that the Indians should care for themselves, and the Government should withdraw all supervision. This would apply to certain persons who have little or no Indian blood in their veins such as Senator Owen and Congressman Carter, or to Mr. Joe Brunner of Sapulpa, and other eminent and educated Indians. I mention these because these are the type of men who are held up by those who believe in removing all restriction. Because these and a few hundred others are abundantly able to take care of themselves, it does not follow that the tens of thousands of other Indians of the Five Civilized Tribes can manage their own property. And the facts indicated that the vast majority of the Indians are totally incompetent to either manage their own affairs, and also are impotent when pitted against the scheming and shrewd whites.

When Congress began to remove restrictions, the Indians suffered. When Oklahoma became a state, certain promises were made these Indians which have not been kept. A search of the records will furnish abundant evidence and all the data desired. When the Indians were allotted and placed on their allotments, they were told they would be treated exactly as are white citizens by the State of Oklahoma. They have not been so treated, save in a minority of instances. Congress, I am persuaded, would do the right and proper thing by the Oklahoma Indians if Congress knew the truth.

If Congressmen could visit the small towns and out of the way places throughout that great State, Congress would not hesitate in absolutely declining to remove any more restrictions. I think that Congress would go a step further, and would pass such legislation as would absolutely protect for the next twenty-five years all remaining lands and properties belonging to either individuals, or to the Five Civilized Tribes.

It is therefore necessary that Congress should know the details of the Probate Court matters, the guardianship cases, the timber situation, the increase of pauperism and disease, and if such knowledge can be brought by the Honorable Secretary of the Interior to the attention of Congress, I feel confident that remedial legislation will follow.

Congress having removed restrictions and the State of Oklahoma taken over the management of affairs of these Indians (save a few controlled through Mr. Kelsey's office), both Congress and the State of Oklahoma are responsible for the present deplorable situation of the Five Civilized Tribes. If things are permitted to drift as at present, within a short period of time the bulk of the Indians of Oklahoma will be paupers, and the very Congressmen who have clamored for non-interference to the internal affairs of the State, will be the first to appeal to the National Government, and to our taxpayers to support the paupers produced through the removal of restrictions.

Restrictions on the freedmen, or negroes, were early removed under the supposition that they having been slaves and accustomed to work, knew how to take of themselves. Out of every eight

freedmen homes, seven have been lost and but one remains in the possession of the family of the original owners. This percentage has been carefully worked out by Attorney Grant Foreman, who has given the subject much thought. Many of these negroes, if not public charges now, will soon become so.

Of the inherited lands, the mixed blood lands, and all the unrestricted peoples lands, control has already passed to the white people. It matters little whether the Indian wishes to retain his property or not, he is unable to do so.

Aside from Indian troubles, the general situation in the State is not satisfactory. The rapid sale of hundreds of thousands of acres under all sorts of circumstances has brought about an unnatural state of affairs. Comparison with other states will prove this. Congress should realize that while certain of the cities in Oklahoma are prosperous, country districts are not. There is too large a percentage of undesirable citizens in the State outside of the cities and larger towns, and it is difficult to persuade first class farmers to locate on tracts of land, for this reason. Many of their neighbors are not such persons as they have been accustomed to associating with at home. Taxes are high, for the reason that the cities have expanded beyond normal growth, have erected too many large buildings, paved miles of streets in an expensive manner, built school houses in excess of the needs of the community, etc. While the sale of Indian lands was at its height, there was sufficient money for all these purposes. Now that most of the lands are gone, a reaction has set in. I learn that in Sedulpa the property has depreciated about

sixty per cent. I am informed that the school terms have been shortened and teachers' salaries reduced. The majority of the farms are not properly handled, and there is not that intelligent soil cultivation that one observes in other communities. Travel throughout the state impresses one with the fact that the growth has been of mushroom character, and not substantial. One observes in the country numerous notices offering rewards for the return of stolen horses, and signed by members of the Anti Horse Thief Association!

If times continue in Oklahoma as they are at present, it will be all the more difficult for the Indians to properly support themselves. It is therefore incumbent upon Congress to pass such or similar legislation, as Mr. Mott has indicated in that draft of a bill which he sent to the Honorable Secretary of the Interior some time ago.

Further: the suggestions made by those best qualified to pass on the situation should be enacted into legislation immediately. Repeated, these are:-

- A. Property held in the name of the United States.
- B. Homesteads set aside and protected for twenty-five years.
- C. Increase of Special Agent force.
- D. Some division of oil royalties whereby many rather than few Indians participate.
- E. A different arrangement of guardianship matters.
- F. More authority granted Superintendent Kelsey and more funds at his disposal.
- G. Full protection of full blood and minor Indians.

A final word as to the feelings of the Indians themselves. Many of the educated Indians, as well as the ignorant ones, are depressed and downcast. Some of them have no inclination to work, for the reason that when their farms are developed, the very fact that improvements have been made and the soil prepared to yield larger crops, serves merely to attract the covetous white man. They have little faith in their guardians, administrators, and local courts, and they look to our Congress to protect them since it is impossible for them to secure adequate help from the State authorities. They contrast the present with the past - when they were happy and contented, had sufficient food and clothing and many of them fairly prosperous. They see little, or no hope, for the future if things are to remain as they are at present.

Mr. Kelsey, attorneys Mott, Gresnam, Hurley, Hastings; Commissioner Wright and all the other loyal men now engaged in fighting a heroic battle in Oklahoma, are powerless unless Congress will do for the Oklahoma Indians today what she should have done several years ago.

Our public man must realize that unless we afford the protection to which these poor people are clearly entitled by every law of both God and man, we will plunge the remnants of the famous Five Civilized Tribes into the depths of despair. It is not mere rhetoric, it is not an exaggeration, but on the contrary it is the cold, naked truth, that unless we remedy conditions in the State of Oklahoma, we shall have tens of

thousands of homeless paupers to support.

In conclusion, I beg that our Board use its influence to bring about an end to the intolerable condition existing in the great State of Oklahoma at the present time.

Respectfully submitted,

Warren K. Moulhead

Member of the U. S. Board of Indian Commissioners.

WRECKING THE DEPARTMENT OF CHARITIES.

The effort to wreck the Department of Charities is not the result of anything the Department has done or has failed to do, it is the determined effort of the politicians to either ~~xxxx~~ get charge of the Department and control it or wreck it. Read the following and see for yourself:

POLITICIANS DETERMINED TO CONTROL OFFICE.

Maxey, Hill and Wyand of the House, have been the recognized leaders in the fight. Their first excuse was their fight on Dr. Stolper. I accepted Dr. Stolper's resignation in order to eliminate him from the fight being made against the appropriation for an Attorney in my Department. The politicians of the House promised to give me an appropriation to continue the legal work for the helpless little Indian orphan children, provided that I "got another Attorney". I appointed Judge Lockridge of Shawnee, whose determined stand against lawlessness and graft is unquestioned and is a matter of record, but the politicians never ceased their fight for a minute and the battle became more desperate daily.

About ten weeks ago a man by the name of Montgomery called me over the phone from Muskogee, and applied for the position of Attorney in my Department. I told him there would probably be no Attorney, as Representatives Maxey, Hill and Wyand of the House were making such a determined fight on the Department as I thought would exterminate it. He assured me he could stop the fight in two hours. I told him to come over. When he arrived he said he was an old friend of Representative Hill at the time they both lived in Texas. He spent one day here and in the evening I was telling Senator Harlin in the Lee Huckins that a Mr. Montgomery had kindly come over to help me in the fight. Just then Mr. Montgomery appeared in person and told me I was wanted in the parlor. Senator Harlin went with me far enough to see Maxey, Hill and Wyand sitting as a committee in waiting.

THEY OFFER TERMS OF PEACE.

Mr. Maxey said: "Miss Barnard, Mr. Lockridge, your Attorney, is a very good man and I have nothing against him, but if you will appoint Mr. Montgomery here as your Attorney, we will stop the fight on your Department in the Legislature". I asked Mr. Maxey if he thought it was possible for him to really stop the fight and Representative Hill of McAlester spoke up and said: "Yes we will stop the fight, and your Department shall remain with the present number of assistants and clerks and in addition to that we will add whatever amount would be necessary to make a decent appropriation for a first-class Attorney." I said: "Do you mean that I may have the same appropriation that I had for the past two years?" He said: "Yes, and in addition to this, whatever amount you desire to properly pay a first-class attorney". Mr. Wyand then spoke up and said he was sure they could stop the fight in the Legislature and that I would have no more trouble if I appointed Mr. Montgomery. This is almost verbatim the conversation that we had.

I was appalled at the situation. For nearly seven weeks a terrific fight had been waged to exterminate my Department and here were the men who had led the fight, offering to stop it all "if I would appoint their Attorney" to handle the Indian orphan cases coming under the jurisdiction of my Department, but as it seemed a matter of either accepting this man or having my Department exterminated, I partially promised to make the appointment. All that night I laid awake and worried, for it is a serious thing to undertake to fight graft such as we encounter in our efforts to protect the Indian orphan children and have to fight this graft with a man who is an entire stranger to you and who has been placed in your Department by those who have previously fought to exterminate you and your work. By the next day I decided to defer signing a contract with this man and to maneuver for time, I told Mr. Montgomery to get me the written recommendation of Hill, Maxey and Wyand. The recommendationx follows:

"THE LEE HUCKINS HOTEL

Oklahoma City, Okla., February 25,
1913.

Miss Kate Barnard,
Commissioner of Charity & Corrections,
Oklahoma City, Okla.
Dear Miss Barnard:--

We have been advised that you contemplate the appointment of F. L. Montgomery, of Muskogee, Oklahoma, as Attorney for your Department, and we each of us take pleasure in expressing to you our confidence in the personal integrity of Mr. Montgomery as a man and in his ability as a lawyer.

Very respectfully,

(Signed) J. E. Wyand
(Signed) E. P. Hill
(Signed) J. H. Maxey."

Representative Smith, Senator Harlin, and others have read this letter.

In the meantime I had been wondering if there was any possible way out of this situation, when I was taken suddenly ill and was threatened with pneumonia and the physicians gave me three days to get to dry air if I wished to live. I hurried to Arizona. In Arizona I received a letter from Mr. Montgomery, inquiring if I was ready to sign the contract.

THEY RENEW FIGHT AND WRECK DEPARTMENT.

In the meantime Maxey, Hill and Wyand had renewed their fight with more vigor than ever and urgent telegrams called me home from a sick bed to try to help save the Department. The next day after I arrived at the University Hospital, the House took up the appropriation bill for my Department. Representatives Hill and Maxey led the fight which almost exterminated the Department. They eliminated my Attorney who appears for the Indian orphan children, my Inspector of the Institutions of the State and my Assistant, leaving me only a stenographer. They cut down my stamp and travel fund until I shall not be able to answer correspondence in this Department and shall not be able to get over the state to inspect institutions. Just one hour before this appropriation bill came upon the floor, Mr. Montgomery called me up at the Hospital by long distance phone from Muskogee, and wanted to know if I would sign the contract. I told him it was too late to speak of these things, when he assured me he could stop the fight right then. I asked him how. He said: "I have just had a consultation with Mr. Wyand".

I wonder if the christian people and the tax-payers and voters of the state approve of law-makers who come up here to the Legislature to put their friends in control of the Department of Charities ~~inxxxxx~~ or to wreck it. I am willing to make affidavit to all the above and there are many prominent citizens who know the particulars and will testify to the truty of the same. In all the dealings these men have had with my Department in this Legislature, they have dealt just as unfairly. Their fight would be a disgrace if it was made on a man.

FALSE RUMORS.

In order to create a feeling of bitterness, many false rumors have been set afloat. You must understand it is difficult for politicians to create a sentiment in the Legislature or out against a woman who has spent ten years working for the protection of the state'sx helpless deaf, mute, blind, prisoners, orphans and insane, especially whene these politicians have probably never spent a dollar or a days work for these helpless ones. So they have started false rumors. It was said I spent \$50,000. annually traveling about. The whole Department has but \$7,300. A year for the expenses for every one in it. Another said I traveled out of the state at the expense of you tax-payers. Read the annual report and you will see this expense has been only a little over \$100. a year to you tax-payers for the last two years. Some say I intend to re-hire Dr. Stolper. They know that I do not, because I told them so. They complain I have been out of the State. I have been out of the state because I was sick and this sickness the Doctors way was the result of over-work which I did for you and your children. For four years I worked in my Department until nine and ten o'clock at night. I have no home and no social ties and as soon as I am well again I shall put in sixteen hours again a day working for you. I shall be working for you and the unfortunate of this state till gray hair and old age stop my efforts and long after the memory of the politicians who now fight me are forgotten. Probably their names will live in history only because they made this fight.

ONLY MEN CAN BE SICK.

But they complain of absence from the State. Mr. Taylor, the State Examiner and Inspector, was absent eight months in California before his death and nothing was said, and Bill Cross was sick during the whole three and a half years he was Secretary of State, the office being run by his Assistant, yet you nominated Bill Cross as a candidate for State Auditor and he would today be in that position, if death had not called him to a kindlier and more peaceful place than this state house.

THE GRANITE REFORMATORY:

They complain about the Granite Reformatory. My Department has done its full duties in making its inspections, and it is now conducting an investigation of that institution at the request of the Governor.

Investigations of State Institutions can only be made at the request or approval of the Governor. The constitution especially provides this.

The remedy for all these troubles is certainly not to wreck the Department of Charities but rather to strengthen it. It takes much time for this Department to accomplish results while we are hampered with local boards and conflicting authority. Inspection should carry with it the right of removal. But the Legislature refused to grant us this needed power because "they were afraid to give the Department of Charities too much authority". Instead you have pladed at least two boards between us and the superintendent of any institution and this is responsible for the deplorable conditions -, which must continue until this Department is given proper authority to enforce our recommendations.

WHAT THE TROUBLE REALLY IS.

Why do Maxey, Hill and Wyand want to get control of the Department of Charities? We think it is to assist them in their own political ambitions and also to control our future actions in the prosecution of the Indian orphan grafters on the east side of the State.

We also wish to remind the public that we have 1900 childrens' cases under investigation, involving millions in money and land. In the work we have laready done we have proceeded against big democrats and big republicans without fear or favor. We made one big democratic judge resign. We made another big democrat hand back \$30,000 in one day. My Attorney has been assaulted and knocked down and his life threatened and they have told me they would "get me" politically for this work and every man who has lott money or land and those who fear they will lose money or land are bringing every influence to bear on the Legislature. With this Department wrecked, the four million dollars in money and land I have already saved for 1389 Indian orphans will soon be back in the hands of the grafters, and the tax-payers will eventually be called upon to take care of these penniless orphan children, or if the Department could be controlled -- well, the public understands that.

BOSTON INDIAN CITIZENSHIP COMMITTEE.

ORGANIZED IN 1879.

Hon. John D. Long, *Chairman.*
J. Weston Allen, *Vice-Chairman.*
J. S. Lockwood, *Secretary.*
C. O. Dorchester, *Treasurer.*
Samuel B. Capen.
W. K. Moorehead.

Frank Wood.
Wm. H. Lincoln.
Hon. Henry Cabot Lodge.
Hon. Samuel W. McCall.
Hon. Samuel L. Powers.
F. J. Stimson.
Edward H. Clement

Joseph G. Thorp, Jr.
Rev. Edward Cummings.
Rev. Charles F. Dole.
Edwin Ginn.
Edwin D. Mead.
Rev. Albert E. Dunning, D. D.

Miss Alberta M. Houghton.
Mrs. S. T. Hooper.
Miss Alice M. Longfellow.
Mrs. W. W. Goodwin.
Mrs. James Barr Ames.
Mrs. James S. Howe.
Mrs. H. N. Wheeler.

*Office of Secretary,
43 Federal Street.*

Boston, May 5,

1913.

To the Honorable,
The Secretary of the Interior,
Washington, D.C.

Sir:-

In view of the appropriation contained in the Indian Appropriation Bill now pending in Congress providing two hundred and fifty thousand dollars for school purposes on the Navajo reservation and the need of an adequate appropriation to protect the health of the Navajoes and because of the influences now at work to secure the allotments of land to the members of the Navajo tribe and the opening up of any surplus lands to the white settlers, on behalf of the Boston Indian Citizenship Committee, I have made an investigation of the conditions of these Indians in New Mexico and Arizona and beg leave to submit a report on the matters covered by the investigation. During a part of the time that I was upon the reservation, I was accompanied by the assistant chief of the Division of Education of the Indian Bureau and he is familiar with some of the facts and shares in many of the views which I am presenting for your consideration.

THE ALLOTTING PROBLEM.

The problem of allotting land to the individual Indians of the Navajo tribe presents difficulties which have not been encountered in the experience of the Indian Bureau in allotting to members of other tribes. The precedents which have been followed in allotting land upon other reservations cannot be followed in the case of the

Havajoes. A nomadic people which has built up an industry without government assistance and which has made it self-supporting now asks the government to go slow in order that the industry which has taken years to develop may not be crippled.

Of the 12,000,000 acres which the Havajo reservation is commonly said to contain, over a million acres were included in the government railroad grant and more than a million acres have been opened up in the extension of New Mexico, so that the territory now 10,000,000 acres of which the treaty reservation comprises less than comprised in the reservation is something less than three and one-quarter million. Although the last census gave the number of Havajoes as 22,394, it is known that some localities containing Indians in considerable numbers were not reached by the census enumerators, and in the territory covered by them many Indians were omitted from the roll. It is admitted by those best qualified to judge that the number of Havajoes is not less than 25,000 and probably does not exceed 28,000.

Any plan of allotting land to these Indians must recognize the fundamental fact that the acreage available at the present time for agricultural purposes is inconsiderable, and that the grazing land varies from good grazing land such as is found at the foot of the Tunicha Range to barren desert. Any policy of allotting 160 acres (which has been the unit in many instances in allotting agricultural lands), if applied to the Havajoes, must necessarily destroy the sheep raising industry. If we assume the number of Havajo Indians to be 25,000 and the available acreage 10,000,000, the proportionate allotment to each Indian would be 400 acres. The figures of the Indian office obtained from the reports of sheep dipping furnished by

the superintendents of the several reservations indicate that the Navajoes now have over 1,500,000 sheep and goats. Reverend Father Anselm Weber, O.F.M. in April, 1911, gave the number of sheep and goats owned by the Navajoes on and off the reservation as 1,751,900. If the number is taken to be 1,500,000, the available acreage would give 6 $\frac{2}{3}$ acres to each sheep and this does not take into consideration the large numbers of cattle, horses, mules, and burros, who are also grazing upon the land.

Three obvious difficulties immediately present themselves when any plan of allotment is considered - (1) the great inequality of the land for grazing purposes; (2) the scarcity of water and the fact that much of the land is far distant from the nearest water supply; (3) the existence of summer and winter ranges and the removal of the sheep from place to place under the changing conditions of different seasons of the year.

Of the inequality of the land for grazing purposes, it is sufficient to say that there are vast areas of rock and sand where an allotment of 160 acres would not support a single sheep. Of the inaccessibility of water, it may be similarly stated that there are sections of land within the reservation which are so far from water during the dry season that sheep would die from exhaustion before they could reach the nearest water. Of the necessity of moving the sheep from one part of the reservation to another, it is perhaps sufficient to point out that in the winter the sheep must have the protection of the sheltered valleys and in the summer they are driven by the heat and the scarcity of water into the mountains.

A matter of far greater importance in the consideration of any equitable allotment is the determination of the location and extent

of the land within the limitations of the reservation which can be reclaimed by irrigation. Until an investigation has disclosed how much land can be reclaimed, any distribution of the land to individual allottees would be premature.

The problem presented is how to allot to a nomadic herdsman a permanent home. The Common of Pasture of the old English law is the keystone to the industry upon which his livelihood depends. It is respectfully suggested that upon the working out of this problem rests, not only the future of the sheep raising industry, which this tribe by the use of its common land has brought to its present development, but the ultimate solution of the school problem as well. The allotments which have already been made from the public domain to Indians living off the reservation should not be approved by the Department. The allotments have been made without adequate study of the problem presented and the 160-acre unit adopted is insufficient for the Indian to maintain himself. A commission should be appointed to make a study and report upon the preliminary question whether the time has come for allotting the land on this reservation in whole or in part. This commission should be authorized to employ a competent engineer to determine how much of the land of these Indians can be reclaimed by irrigation either by reservoirs to retain the waters from the annual mountain freshets, or by ditches from the streams as is being done in the case of the San Juan river and other streams. When this has been determined and a plan for reclaiming land available for irrigation has been perfected, I believe each Indian should receive a homestead allotment of five, ten or twenty acres of irrigable land according to the amount available, located as near as possible to the summer range on which he has been accustomed to herd his sheep. On this homestead

he should be encouraged to make his permanent home and improve the land. Superintendent Shelton of San Juan Reservation has in mind the allotting of land under the ditch, now being constructed from the San Juan river, to the Indians who have been taught farming in the school at Ship Rock, but any plan of allotting land available for agricultural purposes should be laid on lines broad enough to include all the Indians. The cost of reclaiming the land would, in most cases, be borne by the Indians without hardship, the initial cost being borne by the Government and apportioned to the allottees of the reclaimed land to repay it in annual instalments. Whether or not the grazing land should be allotted at the same time, or whether it should continue to be held in common until the results of the allotment of irrigable land had been ascertained would be a matter for determination by the commission. Any plan for allotting grazing land should be based on a unit of allotment of average land as in the case of the Choctaw Nation in Oklahoma, for an arbitrary allotment of a fixed number of acres to each Indian without regard to the number of sheep that could be fed upon it would be inequitable.

A further matter of the highest importance is the disposition to be made of coal and other mineral deposits on the reservation as well as the standing timber. The mistake which has been made on the White Earth reservation in Minnesota of allotting valuable timber lands to individual members of the tribe while others received allotments of far less value should not be repeated, but the proceeds of the timber when sold should be apportioned to all the members of the tribe. Similarly, the coal deposits which are known to exist, and any other mineral deposits, should be conserved, and the profits from their lease or sale should inure to all the members of the tribe equally as in the

case of the coal mines in the Cherokee Nation in Oklahoma.

A commission in investigating the timber on the reservations and the mineral deposits should have the services of a forester, and a mining engineer.

My observation in driving through the reservations in New Mexico and Arizona covering over three hundred miles indicated that the reservation is overgrazed and this view is confirmed by those who have made a study of present conditions and by some of the reports which have been made to the bureau. The experiment now being conducted at Ship Rock to improve the grade of sheep offers a possible solution. It is believed that by crossing Cotswold sheep with the native stock, the quality of the wool can be improved, the clip increased fifty percent and the hardy qualities of the native sheep preserved. When the Indian finds that he can increase his output and obtain a better price for his wool by improving his stock, the present tendency to increase the number of his flock without much regard to the quality of the wool will be corrected.

TUBERCULOSIS AND TRACHOMA.

During my trip from Farmington, New Mexico, to Holbrook, Arizona, I gave much time to the health conditions throughout the reservations. From all sources obtainable, I have sought information as to the prevalence of tuberculosis and trachoma. A conservative estimate of the Navajoes afflicted with trachoma is 30 %, and at least 10% have tuberculosis in some form. Of the latter, one half have pulmonary tuberculosis, and the other 5% includes all other forms. A quarter of those afflicted with pulmonary tuberculosis and nearly all those having other forms of tuberculosis could be cured by proper treatment.

I did not cover the western part of the reservation in my trip, but I am informed that the prevalence of tuberculosis and trachoma is substantially uniform through the Navajo country. Upon this basis there are from twenty-five hundred to three thousand Navajo Indians afflicted with tuberculosis and about nine thousand afflicted with trachoma.

At the present time the facilities for coping with these conditions and preventing the spread of disease are grossly inadequate. The only government hospital with any considerable equipment is at Fort Defiance, and, under the direction of Dr. Wigglesworth, effective work is being done among such patients as the capacity of the hospital will accommodate. It is of importance that the request of Superintendent Paquette for out-hospitals on the cottage plan to provide for tuberculosis patients should be granted without delay. Dr. Wigglesworth is without the services of an assistant physician at Fort Defiance, and although the position of attending physician at the school at Tohatchi on this reservation has been vacant for more than a year, the place has not been filled.

At Ship Rock, the hospital which is conducted in connection with the school has an earnest worker in charge in Dr. Brett and he is taking aggressive steps to wipe out trachoma in the school. Some fifteen pupils were operated on and were under treatment for this disease while I was at Ship Rock. Dr. Brett is also treating Indians on the San Juan reservation whenever his services are called for, but his duties do not permit of any attempt on his part to do systematic inspection work on the reservation. In the hospital records at this school it appears that, among cases examined by Dr. Smith when he was at Ship Rock, 20.94% had trachoma.

I have visited the small hospital conducted by the Presbyterian Mission at Ganado and the new hospital built by the National Indian Association at Indian Wells. Both of these hospitals are doing excellent work but are handicapped by limited facilities and lack of equipment. There are no adequate hospitals provided on the Western Navajo or Leupp reservations.

Under these circumstances, it is not surprising that little progress is being made in weaning the Indian from the power of the "medicine man" throughout the Navajo country. It is a common practice on all the reservations in cases of sickness to call on him to sing and drive away the evil spirits. These charlatans impose on the Indians, insisting on their fee in advance, and sometimes demanding as many as ten sheep as the price of their incantations. They are successful in frightening many of the sick from seeking medical aid at the hospital. At one hospital I was told how a "medicine man" came in disguise to the hospital and told an Indian patient, that the evil spirits were there and he would die if he did not leave, with the result that the Indian was afraid to remain. In another case a "medicine man" came with friends to an Indian who was confined at the hospital and took the Indian from a ward on the lower floor through a window of the hospital and placed him in a wagon. They were just about to drive away when they were discovered and the patient was taken from them and placed in an upper ward. A week later another attempt was made to remove the Indian and this time it was successful.

It is folly to maintain a quarantine at our ports of entry against these diseases unless the Indian Bureau takes decisive steps to check their spread among the Indians. The "medicine man" thrives because the Government is taking no effectual steps to segregate the sick or instruct the Indians in the simplest rules of sanitation. It

is an anomolous situation that persons coming to this country with trachoma are deported under the lar which requires them to return in order to prevent the entry of this disease through our ports, when the back door to our homes is wide open and nothing is being done to eradicate the disease. Many of the white children in Oklahoma already have contracted trachoma.

In a mission school in northern New Mexico containing twenty-seven children from the San Juan reservation, an examination by a physician from Farmington on the day that I visited the school revealed the fact that twenty-six of the twenty-seven children were afflicted with diseases of the eyes and eighteen cases were clearly defined cases of trachoma. This report confirmed a previous examination by the government physician at Ship Rock.

In a hogan which I visited near Indian Wells in company with Mrs. W. R. Johnston, a half field-matron in the service, and her husband and an eye specialist, I found an Indian, four women and ten children. Of those children nine had trachoma and at least one of the women was afflicted with the disease. Two of the worst cases were taken back to the hospital for treatment and the others received such immediate treatment as could be given to afford temporary relief. When the children who were taken to the hospital return, they will, of course, again contract the disease.

Any plan which may be adopted to check the ravages of disease among the Indians must include segregation of the sick and periodic inspection of the homes. The services of field physicians will be necessary, who should be placed in charge of all Indians within a certain district. A physician could cover a territory 50 miles square.

A comprehensive plan would involve dividing the territory of the several reservations into districts of about 2500 square miles.

An adequate appropriation should be secured from Congress to provide as fast as possible for a sanitarium hospital to each district, located at some centre point. This sanitarium hospital would be the headquarters of the field physician, who would then be responsible for the surrounding territory within a radius of approximately twenty-five miles. I am informed that he could make a tour of inspection, visiting the homes of all the Indians in the districts at least twice a year, with more frequent visits to the districts where disease was more prevalent.

Such a sanitarium can be erected and equipped without a large expenditure. The main building need contain only the necessary rooms for administrative purposes, an operating room, and a ward with some six or ten beds. In most cases six beds would be sufficient. Around this central building, out-hospitals with open sides, containing four beds each, would be erected. Nearly all tubercular patients and those suffering from trachoma could be cared for in the out-hospitals. Surgical patients could be removed to the out-hospital a week or ten days after they were operated upon. The cost of maintaining such a sanitarium would not be heavy.

In order to effectually check the spread of these diseases, congressional action should be secured to authorize the compulsory removal of Indians afflicted with contagious diseases to these hospitals, and to insure their retention until discharged. Under present conditions, the benefit which would otherwise be derived from hospital treatment is lost in many cases because Indian children are removed by their parents before the necessary treatment is completed, and the government doctors have no power to prevent their removal.

In order to accomplish the results needed, physicians must remain among these Indians a sufficient time to gain their confidence,

The salary paid government physicians for this work is so inadequate under present law that it is not possible for the Indian Bureau to fill vacancies and the doctors who enter the service generally remain for a short time and return East, resigning their positions. Most of them go with no intention of remaining in the work, but merely to gain experience and see the country. The services of a man like Dr. Wigglesworth, who has spent years among the Indians, learned their language, and overcome their distrust through long experience in the field, are invaluable. He is known throughout the Navajo country and Indians who will not accept medical treatment from others will go to his hospital with confidence in his ability to cure them. The general plan which I have outlined of dividing the reservations into medical districts has his endorsement and it has occurred to me it might best be worked out under his general supervision.

Dr. Smith of Farmington, who is associated with another physician in conducting a private hospital in that community, has given largely of his time in treating Indians in the outlying districts and much of his work has been of a charitable nature. He is conversant of the needs of the Indians, appreciates the gravity of the situation, and I believe could be induced to give up his private practice and assist in organizing the medical work in that section, or elsewhere.

In order to obtain results, it will be necessary to secure physicians who have made a special study of these diseases, and they will have to be paid reasonable salaries. Congress should be asked to authorize the payment of adequate compensation to specialists in trachoma and tuberculosis in the medical branch of the service.

The same difficulty which is encountered in securing physicians who are competent and willing to undertake the arduous work among the

Indians is presented in obtaining nurses for the hospitals. Young women who come from hospitals where they have received their training in our large cities soon tire of the conditions which they find in these frontier hospitals. The question of what shall be done with the returned student from the Indian schools offers a possible solution of this difficulty. From those who have had experience with the older girls in the Indian schools, the suggestion has come to me that they are temperamentally fitted to take up work as nurses and that if those, who in preparatory schools show special promise, are placed for graduate work in hospitals where they will receive suitable training, or even are assigned as student nurses in the government hospitals, they may prove more valuable in hospital work in the Indian service than the nurses who are not familiar with Indian life. It has been further suggested that these Indian nurses would be of assistance in interpreting to the Indian patients, and by their presence would make the Indians more willing to come to the hospitals for treatment and more content to remain.

THE SCHOOL PROBLEM.

The appropriation for \$250,000 for the education of the Navajo children, which is contained in the general Indian Appropriation Bill now before Congress, brings forward for your consideration the question of how best the difficulties, which have baffled the Indian Bureau in its previous efforts to reach the Navajo children, can be solved. I am convinced that in the case of these Indians, under the conditions which confront the department, the two problems of providing for the sick and educating the young can best be worked out together.

It is nearly fifty years since our Government in its treaty with the Navajoes agreed in return for the cession of land to provide

a school for every thirty children of school age. The school children of that generation have grown to manhood and womanhood in ignorance and their children have grown up without an education. Now their grandchildren are knocking at our doors for the fulfillment of the promise of the treaty.

The nomadic life of the Navajo, which makes it difficult to allot him a home, has made it equally difficult to collect his children in school. Herein we find the excuse but not the justification for the condition which confronts the Government today when more than five thousand Navajo children of school age are growing up without ever having seen a school house and many without ever having heard the English language spoken.

It is unfortunate that the provision of the Indian Appropriation Bill to appropriate \$250,000 for the education of the Navajoes was so drafted as to limit the expenditure to providing day schools for these Indians. By the provisions of the bill it should be left to the discretion of the Indian Bureau to provide day schools or boarding schools as the conditions which obtain in any part of the Navajo reservations may require. Whenever any considerable number of Indians are settled in a particular locality for the greater part of the year, a day school can be maintained, but under present conditions I believe the small boarding school offers the best solution of the problem of reaching these children.

The day school at Cornfields in the Navajo reservation has attracted some thirty pupils, but this is because it is in the midst of cornfields. It is the only government day school on this reservation and it must be taken to be the exception which proves the rule. Until there are more cornfields the number of day schools must be limited. I am a hearty believer in the day school in preference to the boarding

school where conditions make it feasible, but it is folly to attempt to provide day schools among roving tribes in a wilderness. When the problem of allotting these Indians is solved and the permanency of the home established, the day school will succeed the boarding school.

At Ship Rock, Superintendent Shelton has demonstrated what can be accomplished in a boarding school in the education of older boys and girls, for most of his scholars are fifteen years of age or more; at Fort Defiance, Superintendent Paquette is demonstrating what can be done when the children are taken from their homes in early years. In taking scholars of more advanced age, Mr. Shelton is able to get greater results in industrial training, but the scholars do not learn the English language as readily as those who begin when they reach school age. There is little ground for criticism in the school at Ship Rock. Mr. Shelton believes that the best results are obtained by limiting the number to 150, but it seems a pity that a plant erected on so extensive a scale should not offer its opportunities to a larger number. The school is a monument to the executive ability of Mr. Shelton but it only reaches a small proportion of the children of school age on his reservation. I think that his work at Ship Rock is done and that the school is now so well organized that any man of administrative experience could carry it on, leaving Mr. Shelton with his genius for constructive work free to create a similar institution with a portion of the funds which will become available for the erection of schools on this reservation.

At Fort Defiance, Mr. Paquette is awake to the need of extending the educational work throughout the reservation and has laid the plans for the future on broad lines. In spite of the large attendance at Fort Defiance and the auxiliary schools on this reservation, he is only able to provide for about one half of the children of school age,

but even this is a higher percentage than on any other reservation among the Navajoes.

In extending the school work among this people, I venture to suggest that the division of the reservation into districts for medical purposes can be followed in the locating of schools. Wherever a sanatorium is located a school can be erected as fast as funds for the purpose become available. The children who attend the sanatorium for the treatment of trachoma will provide pupils for the boarding school. The fact that the children are receiving an education will go far to remove the objections of the parents to keeping ^{the children} away from home. The long period which is necessary for after treatment to permanently eradicate trachoma, would not then be a period of idleness for these children. Except in extreme cases, the disease does not prevent the use of the eyes. The number of children now afflicted with trachoma throughout the Navajo country would fill the sanatorium schools with pupils for years to come. Wherever the department may establish a sanatorium for tuberculosis patients, a school for children having incipient tuberculosis could be provided.

The advantage to the government which would result from such a centralization of its medical and educational work is obvious. To a large extent, supplies would be furnished in quantity for both institutions and could be brought in at less expense. A single water supply heating plant and lighting plant would serve both institutions. It would prevent duplication of employees in many instances.

The plan has the approval of the assistant chief of the Division of Education in the Indian Bureau, who has given much study to the question during his stay on the reservation. Upon inquiry, I am informed that \$50,000 would furnish and equip a boarding school with a capacity to provide for sixty children. Any plan which is adopted

must be made upon broad lines and it will take an interval of years to extend it to meet the needs of these Indians.

The problem of the returned student is a serious one among the Navajoes. The boys and girls who have been for years in school come back to their people without a training for taking care of the flocks, and are outdone by those who remain at home. They are for this reason more or less looked down upon, with the result that they have no inclination to continue the habits of study and cleanliness which they have acquired at school and which are not appreciated in the hogan. The effort of the old men of the tribe is to keep the children who return from school from seeking any higher place than is enjoyed by other members of the family. If the young men and the young women of the tribe, who have received an education and who have acquired an appreciation of what they have learned in school, intermarried, the benefits of their education would be more permanent, but many of the girls upon their return from school are given in marriage by their parents to old men of the tribe, and many of the boys return only to find that they are required to marry old women, or at best, "camp girls" as they are called - the uneducated girls of the hogan. The inevitable result is that they go back to the old life. While returned students from Carlyle and other similar schools have withstood the influences brought to bear to bring them back to the old life.

Respectfully submitted.

J. Weston Allen,

Vice-Chairman,
Boston Indian Citizenship Committee

5-11-13

Barnard

7-29875

THE NEWBERRY LIBRARY,
CHICAGO.

The very remarkable statement issued by Speaker Maxey in the Oklahoman of May 9th in no wise answers the charges that I preferred against him in my letter published in the Oklahoman on May 4th. His purported reply is a studied effort to draw into this controversy the General Investigating Committee of the House and his entire statement is made as a defense of the actions of that Committee. I made no charge against the Committee, but my statement dealt solely with Mr. Maxey, Mr. Hill and Mr. Wyand as members of the Legislature and not as members of any committee. His effort to bring into this controversy his colleagues upon the General Investigating Committee is in keeping with his former effort in a controversy between the Governor of the State and the General Investigating Committee to bring into that situation the entire membership of the House. Mr. Maxey seems very averse to shouldering responsibility that properly belongs to him, but seems to bolster himself up by tying himself onto just as many members of the Legislature as he can possibly succeed in doing.

This is a controversy between the Commissioner of Charities--a woman in poor health, on the one side, and three astute lawyer politicians on the other, and though the contest may seem an unequal one, I am willing to let the fair-minded people of this State, who know all of us, be jurors and pass verdict upon us accordingly.

Mr. Maxey, in his statement appearing on page two of the Oklahoman, says: "Within a few days Miss Kate asked me to meet her at the Lee-Huckins hotel, which I did in company with Mr. Hill and Mr. Wyand. He stated that we had all indorsed Mr. Montgomery and that she wanted to accept Dr. Stolper's resignation, but that she had appointed, or agreed to appoint Mr. Lockridge. I told her that Mr. Lockridge was a good man and I thought would make a good official, and thereupon the matter closed. Whatever prompted Mr. Montgomery to make the application I do not know, but he asked me to indorse him and I did, and would endorse him again if he was an applicant."

Mr. Maxey attempts to cloud the whole question, but I have dates, facts and figures on them, which he cannot dodge. I accepted Dr. Stolper's resignation on February 19th, and immediately appointed Judge Lockridge, giving him a contract from that day to June 30th, 1913. Montgomery did not enter the scene until Judge Lockridge had been appointed and was already engaged in a case brought by this Department. I did not ask Mr. Maxey to meet me but Mr. Montgomery, in order to show that he could make his promises good, made all arrangements for Maxey, Hill and Wyand to meet me at the Lee-Huckins hotel. Frankly speaking, I did not believe that he could influence these men, and I was talking to Senator Harlin about Montgomery when he appeared and informed me that all three men were in a parlor and ready to talk to me. The conversation was just as I represented it.

In my effort to spar for time I asked Mr. Huson, who had been my assistant for several years, to draw up a contract, because Judge Lockridge was out of the City. While this contract would not have required very much time to formulate, yet it was not ready until the next night, and it contained such provisions in it, that I took it for granted that Mr. Montgomery would refuse to sign it. He did object to certain features, and taking an unsigned copy of xxx it, he told me that he wished to show it to Maxey, Hill and Wyand. After some time he returned and said that they were satisfied with it. This contract specifically stated that it was contingent upon the Legislature making an appropriation for my Department.

Mr. Maxey in his statement says that he opposed the creation of an attorney for my Department "because I knew it was absolutely useless and was merely another barnacle on the State Government."

will Mr. Maxey explain to the people of Oklahoma why he endorsed Mr. Montgomery or any other man for a position which he honestly believed was an imposition upon the tax-payers of this State? If he was candid in his contention that this position was a useless one, his duty as a citizen of the State and certainly his duty as a representative of the people of his county would have precluded him from endorsing anyone for the position.

It is unfortunate for Mr. Maxey and fortunate for me that he has made plain to the people of this State his feeling toward my Department. My Department must soon be investigated by a Committee of which he is the Chairman. The people of the State expect that the investigation shall be open and fair and Mr. Maxey in his statement says that it will be fair.

Mr. Maxey further says that the General Investigating Committee has made no investigation of the affairs of my Department, and yet in his ~~maxx~~ concluding paragraph he charges me with being guilty of malfeasance and misfeasance in office. I submit to the fair-minded people of this State that it is not only unfair but un-American for a man to make such a charge against a public official and

then in secret, behind locked doors, to sit in judgment upon the accuracy and truthfulness of such charges. This, however, to Mr. Maxey seems to be perfectly proper and is in keeping with his official conduct from the time he came to Oklahoma City in January until this good hour.

Maxey's attempt to shift responsibilities from his own shoulders to that of the entire General Investigating Committee will not divert me from the true issue in this case. There are many good men on the Committee--men who have shrunk from the star-chamber methods pursued by Mr. Maxey. I do not believe that these men will become prejudiced against my Department because I have made this charge that Maxey, Hill and Wyand have attempted to carry out a concerted plan of wrecking the Department of Charities and Corrections. I am not only willing but anxious that my Department be investigated, but it certainly makes me tremble when I think that at least three men on this Committee are my enemies, and that they would pursue the most high-handed methods in trying to suppress me and the great work my Department has done in behalf of the poor, the unfortunate and helpless classes.

One of the slogans of the Democrat party has been "Let the people know", and although I am a sick woman now, I feel that I will be well enough soon to let the people know how a small but determined gang of men have attempted ruthlessly kill the only Department that the poor and unfortunate classes can look to for protection.

CHALLENGE MAXEY, HILL AND WYAND TO MEET ME

As soon as I am able to be up again, I challenge Maxey, Hill and Wyand, individually or collectively, to meet me before any audience in Oklahoma, to discuss this whole matter. No one who is capable of reasoning at all will believe that this determined fight has been made on the Department of Charities because it has not done work of any value. Indeed, all who will read my annual report will understand that this fight is made because I really have done things, and these things have caused the grafters to lose their spoil.

If the present scheme of these men goes through my Department will be so crippled that it will not have sufficient funds to carry on the ordinary correspondence of the office and it will make it impossible for answers to be returned to all who appeal to me for help. Meanwhile there can be no doubt that the grafters will continue to poison the public mind and attempt to discredit me before the people and I will be helpless either through the ~~maxxxx~~ publication of our regular monthly bulletin or through a ~~maxxxx~~ hostile press to

let the people know the real facts. Every one who has known me all these years will understand that my present ill health has been caused by my incessant labors before the First, Second and Third Legislature to have enacted laws for the protection of the helpless, the debt-ridden and the laboring classes of the state. They will know that although it has sapped my vitality, I have stood for proper appropriations for our institutions, because in them are housed the insane, the feeble-minded, the orphans, and the convicts of the State.

I believe in a just God and am firmly of the opinion that he will give me strength to make a state-wide campaign which will cause the dispersal of gangs of grafters and all other enemies to the honor and dignity of Oklahoma.

TOO ILL TO GIVE THE MEMBERS THE FACTS.

I am sorry that I was too ill to get the facts before the Members until this time, but even now I am working with a fever and against the Doctor's orders.

PHILLIPS ACADEMY

DEPARTMENT OF

AMERICAN ARCHAEOLOGY

ARCHAEOLOGICAL EXPEDITION TO MAINE.

CHARLES PEABODY, HONORARY DIRECTOR

WARREN K. MOOREHEAD, CURATOR, in charge of expedition

FRANCIS B. MANNING, PHOTOGRAPHER and ASSISTANT

ERNEST O. SUGDEN, SURVEYOR

IN CAMP NEAR _____

1913

(We shall be here a few days. If your answer is delayed,
address Andover, Mass., and my clerk will forward.)

Andover, Mass., June 9, 1913.

Honorable Edward M. Ayer,
c-o American Express Company,
11 Rue Scribe,
Paris, France.

My dear Mr. Ayer:

I have a long letter to write to you. I am sending a carbon copy to Chicago in case you arrive home before this letter reaches you in Paris.

It is a miracle that I am not broken down with all that I have had to do in this Indian Service since I started for Washington the middle of March, this year. I am going to Maine Saturday to explore during the summer, having in charge a party of ten men. I send you two copies of my brief report "The Red Paint People", one to Paris and the other to Chicago. Mail addressed to me here at Andover will be forwarded by my Secretary.

I have written you a number of letters and sent you a number of reports covering the Oklahoma situation. What I now have to say is ⁱⁿ ~~of~~ the nature of a synopsis. I wish I could see you and have a long talk. I must try to surance this before our meeting

at Lake Mohonk next October. In some respects I am greatly encouraged, otherwise, I am discouraged. Nobody has denied any of the facts made public, nobody has refused to believe that an intolerable situation exists. Mr. Mott and myself are the only two men who have taken radical action in behalf of the Indians.

When I went to Oklahoma I acted as official representative of our Board. The Board had but \$100, but through your kind promise, your Chicago firm sent me \$700. I have vouchers for all of this money here at Andover and hold same ready to be sent to you as soon as you return.

As previously written you, the Indian Rights Association, and myself (I representing the Boston Citizenship Committee and the Indian League) appeared before the President the middle of March. He gave us good interview and showed an interest in the condition of the Indians. He asked me to report to him on Oklahoma conditions. So did Secretary Lane, who gave me half an hour. I went to Oklahoma, traveled all through the Indian country, sent Allen on side trips. The officials cooperated with us and afforded us every facility and went about with us.

When I returned I found that Secretary Phillips had left and a green stenographer was trying to handle our business in Washington. Confidentially (between ourselves) while this girl did the best she could, we are sadly in need of a Secretary. I found that instead of changing my reports, that this girl had been laboriously copying them and sending them to the newspapers. She kept this up for

some time. My reports were made rather in the form of essays^{as} as I know Chairman Vaux is a stickler for the exact ^{Cit} ~~stat~~ation, page and paragraph, etc. etc. Therefore I made the reports to him legally accurate. Vaux should have changed these and made them available for newspapers as live news items, ~~as~~^{as} you and Commissioner Knox and myself suggested at the meeting last January. I could not complain to Vaux, although I wrote to Phillips that the publicity campaign was not handled to my satisfaction.

We were face to face with a crisis. If I did not take hold of the publicity campaign, it would end in a fizzle. I asked Vaux to publish my final report to him (copy of which was sent to you at Paris). He said the matter would have to lie over. I therefore prepared the manuscript of the report which was mailed to you two weeks ago and additional copy of which is sent under another cover. I paid for 2,000 of these myself. The reason that I issued this pamphlet was because if the facts were not set before the public, in a proper manner, I would lose out on the Oklahoma trip. I knew that if you were here you would approve of what has been done.

Mr. Kelsey, Superintendent of the Indian affairs in Oklahoma, Wright, Commissioner of the Five Civilized Tribes, and Mott, attorney for the Creeks, and Hurley, attorney for the Choctaw, looked over this report before it was published and verified the facts.

I have received a number of letters from Congressmen, many letters from missionaries and ministers and many newspaper notices regarding the report. It has not brought about any bitter denunciation, but on the contrary has done great good. It is the only way to save the Indian.

The Indian Service is in a most lamentable state. Inspector Linnen met me in New York two months ago and I had a satisfactory interview with him. Inspector Linnen has been given a desk near the Secretary of the Interior, and when he is not in the field he is to be in Washington to consult with the Secretary. This is an excellent thing as Linnen above all other men knows what is needed in the Indian Service.

Up to the present writing the appropriation bill has not passed Congress. They are holding it up out of spite. Senator Owen of Oklahoma said that the Board of Indian Commissioners should be abolished and offered resolution to that effect. The *Vice* President, in the Chair, informed him that as the President appointed us the Senate had no authority to remove us.

I am now sending several hundred copies of the report to the Congregational, Baptist and Methodist ministers of Oklahoma in order that they will take up the cause in their churches.

I paid the publishers \$185. for printing these 2,000 copies. I have raised \$55. among friends in Boston. The remainder I have to stand for myself. I would appreciate it very much if you would divide the loss with me. I used a little of my own money

on the Oklahoma trip, but feel it no more than right that I should contribute my part toward the investigation.

Mr. Allen made an investigation of the Navajo Indians covering three weeks. The Indian Industries League of Boston contributed the money for this purpose. Allen did not use any of your money outside of Oklahoma. He also paid out some of his own money for the good of the cause.

I have received personal letters from a number of the employees in the Indian Service who stated that the publication of the report is one of the best things that has ever happened and admit a lamentable state of affairs in the Service. Being employed by the Indian Office, these men cannot properly object to what is going on, although they privately admit that all our contentions are true.

I trust that you have had pleasant time and will return refreshed in mind and body. Kindly remember me to Mrs. Ayer.

Dorsey has purchased from us for the Field Museum a large collection of New England archaeological specimens amounting to \$600. We sold a portion of our collection to obtain money to continue our Maine work on a larger scale. I have told Dorsey that if there is not enough in the collection sent him, that I shall be glad to ship him some more at the end of our season next September without additional expense.

With best wishes and many thanks, I am,

Very cordially y^{rs},

Walter K. Moorehead

Copy

Andover, Mass., June 9, 1913.

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With best wishes and many thanks, I am,

Very cordially yours,

Aug 1913

REGULATIONS.

For selling certain timber on the Apache and Sitgreaves National Forests, Arizona, and on the Fort Apache Indian Reservation, Arizona.

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The following regulations are hereby prescribed, in accordance with the provisions of the act of June 4, 1897 (30 Stat. L., 11), and of the act of June 25, 1910 (36 Stat. L., 855, 857), for the sale of certain timber herein described upon the Apache and Sitgreaves National Forests, and upon the Fort Apache Indian Reservation, Arizona.

1. The term "officer in charge" whenever used in these regulations, or the contracts which shall be made in connection therewith, signifies the officer of the Forest Service who shall be designated by the Forester of the Forest Service to supervise timber operations, under these regulations, upon the National Forests, or the officer designated by the Commissioner of Indian Affairs to supervise timber operations on the Indian reservation.

2. The sale includes an area of approximately 210,000 acres to be plainly designated on the ground before cutting begins, within approximately Ts. 8, $8\frac{1}{2}$, 9 and 10 N., R. 23 E.; Ts. 8, 9, and 10 N., R. 24 E.; Ts. 7, 8, 9, and 10 N., R. 25 E.; Ts. 7, $7\frac{1}{2}$, 8, and 9 N., R. 26 E.; and Ts. 8 and 9 N., R. 27 E.; Gila and Salt River Meridian. The sale area is further defined as follows: Bounded on the West by an approximate north and south line extending from the northern limit of yellow pine through Parter Mountain and Blue

Ridge to the rim of Corduroy Canyon; thence SE to Cooley Mountain and east along the rim of the North Fork of White River to a point about one mile northwest of the junction of Snake and Paradise creeks; thence southeasterly along slope west of Paradise Creek to North line of Engelmann Spruce type; thence in east and northeasterly direction along north line of Spruce type to east line of Indian reservation; thence easterly to the boundary of the Apache National Forest; thence NE including the timber west and north of Sheep Springs and north of Apache Ranger Station and Fish Creek to the top of the steep slope facing northeast extending toward the Little Colorado River; thence NW along the top of this slope to the Cerro Trigo range to the northern limit of yellow pine and west to the point of starting. The boundaries of the part of this area which is within the Indian reservation, for which a separate bid must be made and a separate contract executed, may be defined as follows; Beginning at a point on reservation line due south of Pinetop, Arizona, in township $8\frac{1}{2}$ north, range 23 east, S. R. M., thence in west and southwesterly direction to rim on north side of Corduroy Creek north of Amos Ranch; thence along the north side of Corduroy Creek to the Cooley Ranch on Holbrook and Fort Apache road; thence in east and southeasterly direction on east side of Cooley Mountain to rim of White River Canyon; thence in northeast and easterly direction along the north side of White River to a point approximately one mile northwest of the junction of Snake and Paradise Creeks; thence in southeasterly direction along the southwest side of Paradise Creek to the north line of Engelmann Spruce type; thence in east and northeasterly direction along the north

line of Spruce type to the east line of reservation; thence in northwest and westerly direction along the north line of reservation to point of beginning, and consisting of approximately 85,000 acres.

The sale includes all of the merchantable dead timber standing or down upon the area designated; and approximately 36 $\frac{2}{3}$ per cent of the merchantable live timber, to be designated and marked for cutting by the officer in charge. The timber to be removed from the area above designated and in accordance with the percentage above given is estimated at approximately 630,000,000 feet board measure, of which 600,000,000 is western yellow pine, 20,000,000 feet Douglas fir, 6,500,000 feet white fir, 1,500,000 feet Engelmann spruce, 1,000,000 white pine and 1,000,000 feet blue spruce and corkbark fir, saw and tie timber, log scale. The amount of timber for sale within the Indian reservation is approximately 330,000,000 board feet and it is practically all western yellow pine.

3. The timber will be sold under sealed bids after advertisement for 45 days. All bids shall be submitted in duplicate and separate bids shall be submitted for the timber on the National Forests and on the Indian reservation. Each bid shall state the amount per thousand feet offered. The bid for the timber on the National Forests shall be addressed to the Forester, Forest Service, Washington, D. C., and be accompanied by evidence of a deposit of \$5,000 with the First National Bank of Albuquerque, New Mexico. The bid for the timber on the Indian reservation shall be addressed to the Commissioner of Indian Affairs, Washington, D. C., and be accom

accompanied by a certified check on a solvent national bank in favor of the Superintendent of the Fort Apache Indian School in the amount of \$5,000. The deposits may be retained as forfeits if the bids are accepted and the bonds and agreements required by these regulations are not furnished within 60 days from the dates when the respective bids are accepted; the deposits will be returned if the bids are rejected. No bid of less than \$2.50 per thousand feet board measure for the first five years of each contract and \$3.00 per thousand feet board measure for the second five years of each contract, will be considered. The right to waive technical defects in the advertisements and bids and to reject any and all bids is reserved.

4. A period of 10 years will be allowed for the cutting of the timber covered by the contracts, exclusive of the cutting of railroad ties and other timbers required in the construction of improvements in connection with the sale. A maximum period of two years will be allowed from the date the contract is executed by the purchaser for the construction of railroads, mills, and other improvements which may be deemed necessary before beginning the cutting of timber for sale thereunder. The contracts will extend for a period of ten years from the expiration of the two-year period allowed for such construction, provided, however, that if such construction is completed, or the cutting of timber for sale begins prior to the expiration of the two-year period allowed for construction purposes, then the date when the ten-year period begins shall be the date on which such construction is completed or cutting is initiated. The cutting of railroad ties and other material for

construction purposes during the two-year period will be permitted, subject to the terms herein specified.

5. Not less than 30,000,000 feet board measure will be paid for, cut and removed under each contract during the first two years of the ten-year cutting period, and not less than 20,000,000 feet board measure under each contract during the third year and during each succeeding year of the contract period. Not more than 35,000,000 feet shall be cut upon the Indian reservation during any one year of the first five-year cutting period.

6. The timber will be paid for in advance payments of not less than twelve thousand five hundred dollars (\$12,500) on each contract when called for by the officer in charge. Amounts deposited with bids, or otherwise, will be credited against the first payment. The amounts paid for timber on the National Forests shall be deposited with the First National Bank of Albuquerque, New Mexico (United States depository), or such depository or officer as may hereafter be designated, to be placed to the credit of the United States. The amounts paid for timber on the Indian reservation shall be made in the form of certified checks payable to the order of the Superintendent of the Fort Apache Indian School.

7. Timber upon valid claims and all timber to which there exists a valid claim under contracts with the Forest Service is exempted from sale.

8. No timber will be cut or removed until it has been paid for and scaled, measured, or counted by the officer in charge.

9. No timber will be cut except from the area specified by the officer in charge. No live timber will be cut except that marked or otherwise designated by the officer in charge.

10. All merchantable timber used in buildings, skidways, bridges, construction of roads, or other improvements will be paid for at the contract price, except as provided under Clause 21.

11. No unnecessary damage will be done to young growth or to trees left standing, and no trees shall be left lodged in the process of felling. Unmarked trees that are badly damaged during the process of logging will be cut if required by the officer in charge, and when such damage is due to carelessness, will be paid for at twice the price fixed by the contract.

12. No stumps will be cut higher than 16 inches, lower when possible, and so as to cause the least possible waste. Exceptions in the height of stumps may be made in the discretion of the officer in charge in the case of swellbutted or otherwise defective trees; but the stumps will be cut low enough to utilize the whole of their merchantable contents.

13. All trees cut will be utilized to a diameter of eight inches in the tops, smaller when practicable, and the log lengths so varied as to make this possible.

14. Tops will be lopped and all brush piled compactly at a safe distance from living trees or otherwise disposed of, as directed by the officer in charge. When required by the officer in charge the brush and slash shall be burned by the purchaser at such times and under such precautions as the officer in charge may prescribe.

15. The timber will be scaled by competent scalers selected either by the Forester of the Forest Service or by the Commissioner of Indian Affairs according as the timber to be scaled is cut from the National Forests or Indian reservation. Timber will be scaled by the Scribner rule Decimal C, or counted or measured as specifically provided in the contract, and if required by the officer in charge, will be piled or skidded for scaling as he may direct. The maximum scaling length of all logs will be 16 feet, greater lengths will be scaled as two or more logs; upon all logs three inches additional length will be allowed for trimming; logs over-running the specified length will be scaled as two feet longer. Logs containing not less than $33 \frac{1}{3}$ per cent of merchantable timber of any saleable grade will be considered merchantable. All dead or marked green trees which contain one or more merchantable logs will be cut. Hewn railroad ties whose widest diameter inside the bark at the small end exceeds 12 inches will be scaled; smaller hewn ties will be counted and 30 ties considered equivalent to 1,000 feet board measure. Diameters will be measured inside the bark at the top of the log and recorded at the nearest inch above or below the actual diameter.

16. All cutting shall be done with a saw when possible. Unmarked living trees which are cut, marked trees or merchantable dead timber left uncut, timber wasted in tops, stumps, and partially sound logs, trees left lodged in the process of felling, and any timber merchantable according to the terms of the contract which is cut and not removed from the sale area after logging on that portion of the sale area is completed, or is left within any part of the

sale area after the expiration of the contract, shall be scaled and paid for at double the contract price. Both dead and marked green trees considered a fire menace by the officer in charge will be felled, but only such portions of them as are merchantable under the terms of the contract need be logged and paid for. This does not include trees or stubs too short or too small to be merchantable under the contract and does not apply to areas which the purchaser is not required to cut over for green timber.

17. During the contract period the purchaser and all of his employees, subcontractors, and employees of subcontractors shall do all in their power, both independently and upon the request of Federal officers, to prevent and suppress forest fires. Unless prevented by circumstances beyond his control, the purchaser, together with his employees, subcontractors, and employees of subcontractors, will be placed at the disposal of any authorized officer of the Forest Service of the Indian Service for the purpose of fighting forest fires, provided that if the fire does not threaten the property of the purchaser or the area embraced in the contract he shall be reimbursed for services so rendered, unless the purchaser is directly or indirectly responsible for the origin of the fire.

18. So far as is reasonable, all branches of the logging shall keep pace with one another, and in no instance shall the brush disposal be allowed to fall behind the cutting, except when the depth of snow or other adequate reason makes proper disposal impossible, when the disposal of brush may with the written consent of the officer in charge be postponed until conditions are more

favorable. Operations shall be continued on each unit of the sale area as determined by the officer in charge until the logging of each unit is completed to the satisfaction of the officer in charge.

19. All construction work, including main railroads, mill, etc., necessary for initial logging operations shall be completed as soon as practicable and not later than two years from the date of execution of the contract.

20. Logging railroads within the sale area may be constructed under free permits to be issued by the proper supervisor on the National Forests and by the Commissioner of Indian Affairs on the Indian reservation. The way for such railroads shall be cleared of all timber and kept free from all combustible or inflammable material for a distance of fifty feet on each side of the center line of the track. All logging railroads constructed under permits shall be operated with the use of electricity as the motor power unless oil is used exclusively for fuel. Officers of the Forest and Indian Services, fire fighters and other regular and temporary employees of both Services shall be transported free of charge over all logging roads within the National Forests and the Indian reservation, and shall be permitted to ride upon the logging trains and engines when traveling upon official business. In emergencies arising from forest fires special train service will be furnished to officers and employees of the Forest and Indian Services as far as practicable. the use of railway speeders for official duty by officers of the Forest and Indian Services shall be allowed upon all lines of logging railroad within the sale area; Provided, that no responsibility

for accidents which may occur in connection with their use is assumed by the contractor.

21. Sawmills constructed in connection with timber operations upon the sale area shall be constructed under free special use permits issued by the proper officer of the Forest Service or by the Commissioner of Indian Affairs. Bonds in addition to that submitted in support of the contract shall not be required provided that the timber sale bond shall also cover the terms of such special use permits. Commissaries, construction camps, and all other buildings and improvements constructed upon the sale area or other National Forest land or Indian land, in connection with logging, railroad, or other operations of the purchaser incident to the sale, will be constructed under free special use permits issued by the proper officer of the Forest Service or by the Superintendent of the Fort Apache Indian School. Such permits will require that the ground in the vicinity of the structures shall be kept in a sanitary condition; that all rubbish shall be removed and burned or buried or otherwise disposed of as directed by the officer in charge; that when camps or other buildings are abandoned or removed from one location to another, all debris shall be burned or otherwise disposed of as directed by the officer in charge; and that all buildings or other structures shall be removed from the sale area within six months from the date of termination of the contract or become the property of the United States. Telephone lines shall be constructed under free special use permits issued by the proper Forest supervisor or by the Superintendent of the Fort Apache Indian School. Such per-

mits will provide that free use of such lines shall be allowed to Forest and Indian Service officers for official business, and that no stumpage will be charged for poles used in the construction of such lines as are in the judgment of the officer in charge of sufficient value to the Forest Service of the Indian Service to make this concession equitable. All other telephone lines, trails, and traveled roads traversing the cutting area which are now constructed or will hereafter be constructed by other parties than the purchaser, shall be kept open and free at all times from obstruction by logs, brush and debris caused by logging operations, and all telephone lines, trails, and roads damaged or destroyed by logging operations shall be repaired or rebuilt as required by the officer in charge.

22. The right to turpentine any of the timber included in the sale area is reserved by the United States. Turpentine rights may be leased by the United States during the period of the contract, provided that operations under such leases will not interfere with logging operations conducted by the purchaser and that any lease given by the United States will prohibit all boxing of timber.

23. Timber will be marked for cutting in accordance with the silvicultural requirements of the forest. Ordinarily only "Black Jack" trees will be left, but "Yellow Pine" timber will be reserved for seed or protection where necessary in the judgment of the officer in charge, provided that not more than 33 1/3 per cent of the stand of merchantable timber on the sale area will be reserved.

24. Donkey engines or steam skidders will be used in logging only with the written approval of the Forest Supervisor or the Super-

intendent of the Fort Apache Indian School, and only areas on which the damage to remaining timber and reproduction will be negligible and under such restrictions as said officers may prescribe to prevent the escape of fire.

25. The purchaser will pay for damage to property of the Indians growing out of his operations under the sale. The purchaser shall comply with all regulations relative to the maintenance of order on Indian reservations. On the Indian reservation Indian labor shall be employed in the cutting and removal of the timber and in the disposal of brush whenever the use of such labor is practicable.

26. The title to the timber covered by the contracts shall remain in the United States, until it has been paid for and scaled, measured or counted.

27. All questions relative to the location of railroad spurs, the exact areas to be logged, the location of all structures and the requirements to be observed in their construction and other matters concerned with the operations of the purchaser upon the sale area, shall be settled by the officer in charge. Final decisions as to points involved in the interpretation of the regulations and provisions of the contract governing the sale, cutting and removal of the timber shall be rendered by the Secretary of Agriculture as to areas within the National Forests, and by the Secretary of the Interior as to areas within the Indian reservation. Work may be suspended by the officer in charge if the terms of the contract are disregarded, and the violation of any one of such terms, if persisted in, shall be sufficient cause for the revocation of the contract and the cancellation of other permits and privileges.

28. The contract can not be assigned in whole or in part.

29. Refunds of deposits under the contract shall be made only in the discretion of the District Forester as regards refunds due for timber upon the National Forests which may have been paid for and not cut, and at the discretion of the Commissioner of Indian Affairs as to timber upon the Indian reservation which may have been paid for and not cut.

30. The final contract for timber on the National Forests shall be made with the Forester of the Forest Service and that for timber on the Indian reservation shall be made with the Secretary of the Interior. As a further guaranty of a faithful performance of the conditions of the contracts, the successful bidder will be required to furnish separate bonds in the sum of Fifty Thousand Dollars (\$50,000) each.

August 27, 1913.

Cato Sells,
Commissioner of Indian Affairs.

August 27, 1913.

Approved:

A. A. JONES,
First Assistant Secretary of the Interior.

Approved:

B. T. GALLOWAY,
Acting Secretary of Agriculture.

H. S. GRAVES,
Forester, Forest Service, Department of
Agriculture.

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FORTY-FOURTH ANNUAL REPORT OF THE
BOARD OF INDIAN COMMISSIONERS

Office of Board of Indian Commissioners,

Washington, D. C., September 1, 1913.

Sir: We have the honor to submit the Forty-fourth Annual Report of the Board of Indian Commissioners for the fiscal year ending June 30, 1913.

REVIEW OF YEAR'S WORK.

The most important fact in connection with the work of this Board during the past year was the recognition of the Secretary of the Interior of the growing importance of the Board's co-operation in the administration of Indian affairs as indicated in his letter to Congress asking for an increase from \$4,000 to \$10,000 in the appropriation for the expenses of the Board for the fiscal year 1914. (See the letter of the Secretary of the Interior on this subject printed as appendix A of this report).

The steadily increasing number of allotments of land made to individual Indians, the increase in the density of white

population on Indian reservations, the extension of railroads, telegraph lines and other agencies of civilization to the borders of large reservations formerly closed, to a large extent, from the competitive commercial conditions of modern civilization, and the constant growth in the business of the Indian Bureau in meeting and handling the additional, difficult and complex problems imposed upon it by these rapidly changing conditions in the Indian country, together with many other additional burdens, such as the determining of heirs of deceased Indian allottees imposed upon it from time to time by acts of Congress, have for some time impressed this Board with the need of very greatly increased activity on its part in order properly to perform the functions imposed upon it by Congress. In short, this Board has become convinced that it is a mistake to consider the Indian Bureau a vanishing Bureau in the face of incontrovertible facts showing that the volume, as well as the complexity of its work, is increasing, and that as a consequence, there are more problems today, vitally affecting the property rights, and the future

physical, social and moral welfare of the Indians which require the earnest, careful exercise of this Board's legal functions than at any time since its organization by President Grant in 1869. Accordingly the Board at its last regular meeting very fully discussed ways and means to meet its increased responsibilities and decided definitely to enter with renewed activity into the field of legislation and investigation in connection with Indian administration.

That the Secretary of the Interior has officially recognized the possibility of helpful co-operation and service on the part of this Board by recommending to Congress an increased appropriation to bear its expenses, is most encouraging. It is significant also to note that Congress by appropriating \$25,000 to bear the expenses of a committee of Congress to investigate Indian affairs, has recognized the need of men independent of the Interior Department to look into the most difficult and complex problems connected with the property interests and social welfare of the Government's Indian wards. And while there is no doubt that a committee of Congress *will*

gain very valuable information bearing on Indian legislation, this Board, independent as it is from political parties or from bureaus or divisions of any department of government, is undoubtedly in position to render services of peculiar value through wholly independent investigations by giving to Congress as well as to the President and the Interior Department, the results thereof.

While the Board has been hampered as in previous years by the lack of a sufficient appropriation to perform the numerous and important functions imposed upon it by Congress, the work performed by it during the past fiscal year has been of rather more than usual interest and importance in connection with the administration of Indian affairs.

Commissioner Vaux participated in the selection of samples and the purchase of supplies for the Indian service at Chicago on April 17, 18, 19 and 20, 1913, and by correspondence and direct communication with the Indian Office, kept in close touch with purchases made at St. Louis on May 13, 14, 15, 16 and 17, and he personally advised with the Acting Commissioner of Indian Affairs with respect to all close and disputed questions relating to the

making of awards. But the most important part of the Board's work for the year was in co-operation with the Indian Office and the Department of the Interior in working out a fair, just and equitable plan for the removal of the Fort Sill Apache prisoners of war from their lands on the military reserve in Oklahoma to their new homes on the Mescalero Reservation in New Mexico, and the continuation by Commissioner Moorehead of the investigation of the affairs of the Five Civilized Tribes in Oklahoma, begun last year by Commissioner Vaux. The removal of the Fort Sill Apache Indians and their ~~removal~~ transfer from the jurisdiction of the War Department to that of the Interior Department has been accomplished in a manner highly creditable to the Government, and in a manner that not only fully provides for the physical needs of the Indians in their new homes but offers in the future a means of proper civilization and development. The progress made in connection with the affairs of the Five Civilized Tribes is also gratifying considering the difficulties to be overcome. The appropriation of \$250,000 carried in the Indian Appropriation act for the fiscal year, ending June 30, 1914, provides for practically the same forces

of employees as was provided last year for taking care of the affairs of the individual members of these tribes, and apparently has permanently checked the movement in favor of eliminating from the field the federal employees engaged in protecting the individual property interests of these Indians. One of the most gratifying signs in connection with this appropriation is the apparently modified attitude of the Congressional delegation from Oklahoma. Not only did they not strongly oppose this appropriation, but several members of the delegation vigorously urged state legislation, having for its purpose the punishment of those who attempted by fraud to cloud the titles of the land of restricted Indians. (See more complete discussion of the Five Civilized Tribes in another part of this report and Commissioner Moorehead's report added as appendix B.)

During the year the Board held annual meetings as follows:

At Washington, D. C., March 6 and 7, 1912; at Mohonk Lake, N. Y., October 23-25, 1912; and at Washington, D. C., January 15, 16, and 17, 1913.

Mr. H. C. Phillips resigned as secretary of the Board in December 1912, and his resignation was accepted, to take effect in April, 1913. Mr. F. H. Abbott was elected secretary of the Board in January, 1913, with the understanding that he should not deprive the Indian Bureau of his services in the capacity of Acting Commissioner of Indian Affairs until a new Commissioner of Indian Affairs should be appointed and arrangements made to dispense with his services in the Indian Bureau without detriment to that Bureau.

The saving made to the Board in secretary's salary during the last few months of the fiscal year 1913, enabled the Board to purchase greatly needed office equipment for its new office rooms provided in the building on 8th and G Sts., N.W., occupied by the Bureau of Mines. These new rooms are well adapted for the purpose of the Board and are now provided with up-to-date filing cabinets and office fixtures necessary to meet the demands of increased activity, which it is the purpose of the Board to exercise in the future in connection with Indian affairs.

On January 17, 1913, Commissioners Vaux, Walker, Moorehead, Knox, Ayer and Ketcham appeared before the Senate Committee on Indian Affairs (See printed hearings before Senate Committee, *pages 3-20 inclusive*) and expressed their views at length on some of the more important items contained in the pending Indian bill, and also presented arguments for a larger appropriation in order to enable it properly to perform the functions imposed upon it by Congress.

The Board received a most attentive hearing on the part of the Senate Committee. While the appropriation for the Board's expenses was not increased, there is strong reason to hope that a larger appropriation will be made for the next fiscal year.

THE INDIAN BILL FOR 1914.

The Indian appropriation act for the fiscal year 1914, contains many excellent provisions, and as a whole appears to be comparatively satisfactory. A few of the more important items are discussed briefly in the following paragraphs:

To relieve distress and prevent disease. The evidence of the awaking of Congress to the imperative need of action to protect

the health of Indians and prevent the spread of tuberculosis and trachoma among them is one of the most gratifying things in the Indian bill. While the appropriation for 1913 for this purpose was only \$90,000, the Indian Bureau will have for 1914, \$200,000, an increase of about 250 per cent over its former appropriation.

Suppression of liquor traffic. A high water mark was also established in the appropriation of \$100,000 for the suppression of the liquor traffic among Indians as compared with \$75,000, the highest ~~previous~~ previous appropriation which was made for the fiscal year 1913. The fact that the Indian Bureau successfully demonstrated to the Committee of Congress the need of an increased appropriation for this work appears to be conclusive evidence of the good faith of that Bureau in prosecuting this important work. The decisions of the courts in the cases of U.S. Express Co. vs. Friedman, ex parte Charlie Webb, and Mosier vs. U.S. in Eastern Oklahoma which extended the jurisdiction of the officers of the Indian liquor service to this territory, has very greatly increased the burden of responsibility of the Indian Bureau in this branch of its work, so that the increase

of \$25,000 will be largely consumed in the prosecution of liquor suppression work in that state.

Purchase of goods and supplies for the Indian service. Another important increase in appropriation granted by Congress was made for the purpose ^{chose} and transportation of goods and supplies for the Indian service. This appropriation was increased from \$285,000 to \$300,000, and it was provided also that all wagon transportation from the point where delivery is made by the last common carrier to the agency, school or elsewhere, should hereafter be paid from ~~from~~ funds appropriated or otherwise available for the purpose of schools or agencies for which the supplies to be transfered are purchased. Last year with an appopriation of \$285,000 there was a deficit of about \$50,000 in this item. While this deficit in fact represents a net saving to the Government as a result of the policy of the Indian Bureau to take into consideration lowest land grant freight rates in making purchases for the Indian service and thereby increasing the comparative invest~~x~~ment in the way of freight charges, while making a saving in the net cost of the article purchased, it is not a wise business policy to work on defitits; the action of Congress

therefore in making provision that will enable the Indian Bureau to meet its obligations in connection with the purchase and transportation of supplies for the Indian service, without reporting deficit, is a step in the right direction.

For determining heirs of deceased allottees. Another item in this bill which meets with the hearty endorsement of this Board is the appropriation of \$50,000 to determine the heirs of deceased Indian allottees. It is hoped that the Indian Bureau will not overlook its duty under this provision, to give special attention first to those reservations where the industrial needs of the Indians are the greatest and where the individual Indians lack resources with which to improve and equip their individual allotments, except as they are able to obtain such resources from the sale of their interests in inherited lands. Especially does the Board commend that part of this item which provides that a charge should be made against the estate of the deceased to cover the cost of determining the heirs to the estate. This is in strict accord with the general policy advocated for many years by this Board of placing Indian administration, especially that part having to do with the

protection or development of Indian property, on a self-supporting basis, while at the same time discouraging any tendency toward pauperizing the Indian through the Government's efforts to help and protect them.

For encouraging industry among Indians. We are unable too strongly to commend the policy established in this appropriation of \$100,000 reimbursable, to be loaned to worthy and deserving Indians to enable them to stock and equip their allotments with a view to becoming self-supporting. This sort of help is needed by Indians who have ample resources in the way of land fully to secure the amount advanced by the Government but who lack the credit ordinarily extended by commercial banks to white men in similar circumstances with which to make that land productive. This ~~the~~ appropriation is in the nature of a revolving fund which may be used over and over again by Indians for the purchase of live stock and farm equipments, and repaid by them out of money earned through their own efforts, supplying the place of the commercial bank, while at the same time avoiding the pauperizing result that follows the

gratuitous purchase of such equipment or live stock for them, or the bestowal of other gratuities upon them without at the same time requiring them to shoulder responsibilities, and give them opportunity to learn the value of money and gain business experience necessary to make them self-supporting. The Board expresses the hope that this policy of establishing revolving funds for Indians, either by direct appropriation of Congress or where possible, by the use of tribal funds, will be continued and emphasized in the future administration of the Indian Bureau.

Other important items in the Indian bill. - Other important items of more than ordinary importance carried in the Indian bill which have this Board's approval are items limiting attorneys' contracts with restricted Indians; the withholding of annuity payments of the Osage Indians to induce them to place their children in school; provisions for schools and other expenses of administration of the Five Civilized Tribes in Oklahoma,

AGRICULTURE.

For several years this Board has emphasized the necessity of practical training in agriculture as fundamental in the process of the

civilization of a large majority of Indians. The reports of the Indian Bureau, and these reports are borne out by the observation of those who have had opportunity recently to inspect Indian reservations at first hand, indicate a most gratifying increase in agricultural industry among Indians in all parts of the country during the past few years. We wish particularly to commend the emphasis placed on this branch of its work by the Indian Bureau during the past year, and especially the steps taken to improve the quality of its farmers. The recent division of the country into four Civil Service districts, at the request of the Indian Bureau, and of holding farmer's examinations quarterly, the emphasis placed upon practical experience in the examination questions, and the strict instructions to inspecting officers to pass most critically upon the work of farmers and to rate their efficiency solely on their success in inducing and assisting Indians to cultivate their own lands in a profitable and proper manner, if followed up by future administrations will undoubtedly work wonderful results in the industrial evolution of the Government's Indian wards. Ym

The increased agricultural activity among the Indians on the Winnebago, Fort Peck, Sisseton and numerous other reservations through the intelligent and practical work of trained farmers furnish ample justification for the emphasis which has been placed on this subject, and we recommend especially the continuation of emphasis on this branch of the Indian Bureau's work.

IRRIGATION.

The duty and responsibility of developing irrigation projects in order to supply water to make possible the agricultural development of hundreds of thousands of acres of arid and semi-arid land on the large Indian reservations in the West have brought the Government face to face with new and most difficult problems. On the Yakima Reservation water rights running into the millions of dollars are at stake in the determination of the issue as between Indians and white settlers. The investigation of this question by a committee composed of members of the Senate and of the House, provided for in the last Indian bill, should have most careful attention and consideration of officials of the Indian Bureau. Water rights of almost equal value to the Indians are involved on the Uintah and

Curay Reservations in Utah on the Wind River Reservation in Wyoming and on the Fort Hall Reservation in Nevada where there is danger of loss to the Indians through the application of state law of valuable water rights under projects constructed at great expense out of Indian funds. There is great variance in the laws making appropriations for the construction and maintenance of irrigation projects on various Indian reservations as well as a difference in financial conditions of the Indians on the various reservations and a difference in methods of operating and maintaining irrigation projects which call for most careful consideration. During the past fiscal year steps have been taken by the Indian Bureau to work out a plan whereby the cost of maintenance and operation may be charged against the land benefited and a uniform system of cost accounting established on the various projects. We recommend that this work be diligently pursued with the view of making Indian irrigation projects self-supporting and chargeable against the lands benefited so as to induce Indians benefited thereby to realize the value of these projects to them, and gradually to assume in an

intelligent manner the full responsibility for the up-keep of the same. We recommend in this connection that steps be taken, either through the Department of Justice or through competent employees of the Interior Department, to collect evidence where the same is necessary to a successful prosecution of suits for the determination of water rights where there is an issue between Indians whose rights established by treaty or statute and are under state laws or otherwise. believed to have been white settlers claiming rights. We also urgently recommend immediate action looking toward the harmonizing by Congress of various statutes affecting Indian water rights in various parts of the country.

HEALTH.

We have already expressed briefly our approval of the increased appropriation for 1914, for the protection of the health of Indians. In view of the abnormal death rate among Indians from tuberculosis and the spread of that disease and of trachoma among them, we recommend that Congress be asked to increase this fund still more in the next Indian bill in order, not only that physicians and trained nurses may be employed to cover the whole

ground, but that the salaries of these employees may be increased so as to secure the services of thoroughly competent employees. It is to be regretted that Congress did not see fit to appropriate at least a small amount for hospitals for the treatment of cases among adult Indians in order to supplement the hospitals already established in connection with many of the best Indian schools. The printed hearings before the Senate Committee during the 65rd Congress indicate that the question of the future cost of maint~~x~~aining such hospitals, if established, was the chief stumbling ^lblock. In order that this obstacle may be removed in the future, it appears to us that it may be feasible for the Indian Bureau to work out a system of fees in connection with service in one of its present hospitals where Indians outside of schools are admitted so as to make such hospital, to as large degree as possible, self-supporting. If a system could be worked out whereby the Government would have only to make investment in the hospital plant and up-keep, having the cost of maintenance met largely from an income from fees charged the patients, it appears that it would be

Very much easier and more practicable to secure appropriations from Congress that would enable the Indian Bureau to develop this very important auxiliary to its health work among Indians.

TRIBAL FUNDS.

We repeat again with equal emphasis the recommendations contained in our last year's report in favor of the breaking up of tribal funds deposited in the Treasury, and making them available for the education and industrial improvement of the individual Indians. On June 30, 1913, according to the figures furnished by the Indian Office, the total amount of the tribal funds held in trust by the Government was \$46,142,755.60. For several years the Indian Office has recommended legislation to this end. In some cases where individual allotments of land have been made to the Indians and where the segregation and individulization of these funds therefor might not be practicable, we recommend legislation that will enable the Secretary of the Interior to make use of these funds to loan to worthy individual Indians, to be returned by them in accordance with suitable regulations for investment in live

stock or otherwise for the benefit of the Indians.

SUPPRESSION OF INTOXICANTS AMONG INDIANS.

We most heartily recommend the aggressive work of the Indian Bureau in its efforts to suppress the liquor traffic among Indians. Especially do we commend the steps taken during the last year to emphasize among employees in the Indian service the necessity of total abstinence while in the Indian country, and the orders given by the Indian Bureau against the prescription of whiskey for medicinal purposes by Government physicians except Ethol alcohol in certain cases and under most rigid regulations. It is recognized that abstinence from the use of intoxicants on the part of Indians is essential to their industrial as well as social improvement, and as a means also to the prevention of disease among them; and we especially approve the action of the Bureau in including peyote among the intoxicants which its officers are instructed to suppress.

PIMA.

For many years this Board has been urging relief for the Pimas. In our report last year we stated " it is unspeakably unfortunate to have deprived Indians like the Pimas, who for

generations have had the habit of work and who can and would support themselves, of the means of self-support", and we express the hope that a means will be found for the development of ample "water for the irrigation of not less than ten acres for each member of the tribe". It appears that there is no difference of opinion among those acquainted with the conditions of the Pima Indians on the question of what is needed. All agree that the Government should restore to these Indians water rights which they have lost. But this restoration will not come through merely agreeing upon the fact. Steps must be taken directly and vigorously to restore these water rights. The important question is, how can this be done successfully? Congress has shown its willingness to get at the root of the situation by appropriating \$15,000 for the use of a Board of army engineers to pass upon the question of the feasibility of the San Carlos dam and reservoir. The findings of that Board are not yet available; regardless of those findings, however, the Indian Bureau has recognized the importance of getting at the exact value of the Indian's water rights. A preliminary

investigation by Indian service engineers and a specially trained representative of the Department of Justice indicate that it will cost at least \$15,000 for a field examination to thrash out the facts to arm the Department of Justice with the necessary evidence with which to go to court. We recommend that this investigation be begun at the earliest possible date if funds are available from any existing appropriation, and if not, that Congress be called upon for the special appropriation necessary with which to push this work to completion. Anything short of a complete and finished job on the part of the Government in behalf of these Indians will not be sufficient.

WHITE EARTH.

Conditions at White Earth are still far from satisfactory. The present status of the cases brought by the Department of Justice to recover title of lands of minors and full-blood Indians alleged to have been illegally sold is as follows:

The District Court has decided that in order to come within the provisions of the Act permitting the sale without restrictions

of allotted lands by mixed-bloods, an Indian must have a quantum of at least $1/8$ white blood. An appeal has been taken to the Circuit Court of Appeals, where the cases are now pending, and until a decision is rendered by the Circuit Court of Appeals as to the quantum of white blood necessary to constitute a mixed-blood, no further action can be had in these suits.

Congress the last session provided for a commission to make a roll of the White Earth Indians showing the degree of blood of each allottee, but this Commission is now permitted to fix the quantum of blood of any Indian the title of whose land is now in question in the proceedings initiated by the Department of Justice.

While the solution of the difficult legal questions are dragging out through the courts the lands of incompetent adult mixed-bloods are still in jeopardy, and the lands of incompetent mixed-blood minors, as fast as they reach their majority, are subject to the same danger. Pending the result of the litigation in connection with this reservation, it appears to be of the first importance that legislation should be enacted amending the so-called mixed-blood act in order to protect the lands of all incompetent

mixed-bloods, minor and adult, still remaining unsold. We therefore recommend that such legislation be pressed vigorously before the next Congress. At the same time, in view of the demoralized industrial conditions among the full-bloods and incompetent mixed-bloods on this reservation, we recommend that every possible ^{administratively} step be taken_A to protect their property rights and improve their social, moral and industrial conditions.

APACHE PRISONERS OF WAR.

The inclusion in the last Indian bill of an item of \$100,000 for completing the relief and settlement of the Apache Indians formerly confined as prisoners of war at Fort Sill Military Reservation, Oklahoma, marks the consummation of the efforts of this Board and many others, continued for many years, to remove the stigma of the title "prisoners of war" from these people. The responsibility of seeing that these people in their new environment, whether at Mescalero or on land purchased for them among the Kiowa and Comanche in Oklahoma, should have every opportunity for improvement and advancement, now rests solely upon the shoulders of the officials of the Indian Bureau. It is to be hoped that that responsibility will be met in a manner that will

fully justify those who have been insisting upon shifting the jurisdiction over these people from the military to the civil branches of the Government. While lands have been selected for them and steps taken to give them control of their individual property which they possessed while at Fort Sill, every possible effort should be made in the handling of their individual property so as to develop their sense of independence and responsibility and prevent anything like a backward industrial tendency or a going back from individualistic to tribal customs of living.

THE NAVAJO.

Last year we recommended strongly an appropriation to carry out the treaty obligations of the Government to provide educational facilities for the Navajo Indians. We are gratified to note that Congress has appropriated \$100,000 for this purpose as well as \$15,000 for the development of a water supply necessary in connection with the establishment of proposed new school plants. Owing to the nomadic habits of these people and to the fact that they have become self-supporting and some of them wealthy, we recommend that the utmost care be used in the establishment of the proposed schools

and the proposed development of water, that nothing shall be done to interfere with the fixed habits of industry which have made them self-supporting.

FIVE CIVILIZED TRIBES.

The Indians of the Five Civilized Tribes ^{as to restrictions} are divided into the restricted and non-restricted classes largely on the basis of the quantum of Indian blood which they have. All Indians of more than $3/4$ Indian blood are wholly restricted. All persons who have more than $3/4$ Indian blood are wholly restricted. Persons with less than $1/2$ Indian blood are wholly unrestricted, those who have Indian blood of more than $1/2$ and less than $3/4$ are restricted as to their surplus allotments. No restricted Indians are ~~competent~~ considered competent to handle their own affairs, while the restricted Indians are considered as a class incompetent. These classifications on the basis of blood are not always accurate, a great many full-blood Indians being highly educated and thoroughly competent to handle their own affairs. On the other hand, there are Indians whose restrictions have been removed by law on account of their small

degree of Indian blood, who are thoroughly incompetent; and a great many of the frauds which have come to our attention have been perpetrated on this class of Indians.

An investigation of probate matters in those counties of Oklahoma which are composed of the territory occupied by the Five Civilized Tribes shows that the estates of minor Indian children have been the ~~xxx~~ prey of grafters. Nevertheless there is opposition among many of the Indians who are competent to the use of tribal funds for the protection of the incompetent Indians. They contend that this is a use of the funds of competent persons for the protection of incompetent members of their tribe, in other words, one citizen is made to pay for the protection of another. They contend that under the treaty stipulations between the different tribes and the United States, the United States obligated to furnish what protection it deems necessary to the individual Indian at its own expense. This dissatisfaction on account of what some deem to be an improper use of tribal funds, has been one obstacle confronted by the Government as well as by the tribal attorneys who are engaged in this work. The last Indian Appropriation

Bill provided for the employment of probate attorneys with federal funds. These attorneys should be carefully selected with the view of securing the services of men of ability and of undoubted integrity.

Matters pertaining to the tribal estates of the Cherokee, Creek and Seminole nations have almost been completed. The tribal estates of these nations have been disposed of so that there are very few tribal matters in those nations which deserve serious consideration. It will only be a matter of time until they will have been entirely disposed of. In the Choctaw and Chickasaw nations, however, it is entirely different. After each member of these two tribes had received land equal to 320 acres of the average land there was left a residue. This residue of the tribal estate consists of the so-called timber reserve, the segregated coal and asphalt lands and the money reserved from the sale of unallotted land. The lowest estimate that has been placed on this tribal property of the Choctaws and Chickasaws is \$35,000,000. In what is known as the supplemental agreement between the Choctaws and Chickasaws and the United States which was provided by act of Congress, July 1, 1902, and ratified by the Indians September 25, 1902, it is provided that if each Indian has been enrolled and has

received his allotment the residue of the estate shall be sold and the proceeds distributed per capita among the Indians. This action was not taken by the United States Government within the time specified in the treaty. After waiting a number of years the Indians seem to have become dissatisfied with the dilatory manner with which the Government had handled this matter. It was this dissatisfaction that caused the Indians to take kindly to what is known as the McMurray contracts. These contracts were executed by, it is claimed, more than 80 per cent of the individual Indians to Mr. J. F. McMurray, an attorney of McAlester, Oklahoma. Among other things, the contracts provided that Mr. McMurray was to expedite the sale of this tribal property and distribute the funds per capita among the Indians. And for his services Mr. McMurray was to receive 10 per cent of all the money derived from the sale of the residue of the tribal estate. As stated before, the residue of this estate is, at the lowest estimate, worth \$35,000,000. The representatives of the Choctaw nation took the McMurray contracts before the Committee on Indian Affairs of the United States Senate during the present session of Congress, on the ground that the contracts were in violation of

public policy and that Mr. McMurray would under the contract receive a large fee without being able to render services under the contract, and that the contracts bind Mr. McMurray to do that which the United States is bound by treaty obligations to do for the Indians. A provision was agreed upon by committee and enacted as a law, being carried on the Indian Appropriation Bill of June 30, of this year, which provided that contracts with individual Indians affecting their tribal estate are invalid unless consented to by the United States. In addition to this provision Mr. McMurray addressed a letter to the Committee surrendering all claim under his contracts to any operation of the tribal estate. This action has relieved the tribal estate of the Choctaw and Chickasaw Nations of any lien that may have existed by reason of the McMurray contracts. Our attention has been called to the school situation among the Five Civilized Tribes. The tribal schools should be continued and should be supported from funds of the tribe until it can be shown ~~not~~ that proper school facilities have been provided for all the Indian children by the state of Oklahoma. The Oklahoma public school system is excellent, and in many settlements

the Indian children have an opportunity to attend these schools.

In the districts where the greatest number of full-blood Indians are found it seems that it has not been possible to maintain a great number of neighborhood schools by reason of the non-taxability of a great amount of the land in these vicinities. The federal government has appropriated \$300,000 this year to supply the deficiency in the school taxes of Oklahoma occasioned by the great amount of non-taxable land. The school situation so far as it affects the Indian children, has not up to this time, been completely adjusted by the state of Oklahoma. Until the state has thoroughly adjusted this matter it is proper that the tribal schools should be continued.

We are convinced that the Government should provide for the proper protection of all restricted Indians and the proper supervision of probate matters affecting the estates of minor Indians, whether the minor happens to belong to the restricted or non-restricted class.

We do not wish to be understood as criticising the Government for its procedure in handling the tribal estates of these Indians

direct
but we do call the attention to the fact that the delay of the Government in disposing of the estate of the Choctaw and Chickasaw Nations in accordance with the terms of their agreement is the cause of the great dissatisfaction among the Indians of those tribes. The Indians were distrustful of the promises made by the United States, and this dissatisfaction is an obstacle in the way of the proper protection of the incompetent Indians and makes popular the operation of persons who oppose the Government in its efforts to protect the Indians. The efforts of the Indian Bureau should be redoubled to take care of the interests of these Indians.

SPECIAL RECOMMENDATIONS.

In addition to the recommendations contained in previous paragraphs, we wish especially to emphasize the following:

1. Indian Appropriation Bills should not be loaded down and jeopardized, as was the last one, with private claims and general legislation.
2. An effort should be made to consolidate as far as possible, what are known as school appropriations and agency appropriations, as both are for the education and civilization of Indians, and estimates

for appropriations under these two separate heads only tend to confuse the committees of Congress and make difficult a correct estimate of expenses in connection with the separate units of administration on the various Indian reservations.

3. The amendment in the last appropriation bill restricting the expenditure of funds for the allotment of Indians on the public domain to places outside of Arizona and New Mexico suggests the importance of immediate and thorough investigation on the part of the Indian Bureau into the whole question of public domain allotment in order that this important question may be presented to the committees of the next Congress intelligently and effectively.

4. The expenditure of appropriations for purposes of allotments of land or the irrigation of the same should be made hand in hand with expenditures for the improvement and development of those lands by the individual owners thereof. The appropriation of funds to allot or to irrigate raw lands without at the same time providing for the individual Indians, means of improving and bringing their lands under cultivation, not only results in no benefit to the Indians for whom the appropriations are made, but results in actual

detriment to them by presenting an easy way to the leasing system and to consequent habits of idleness and dependence.

5. We recommend that steps be taken to bring the matter of appropriations for the salaries of officials^{and employees} in the Indian Bureau in Washington, and appropriations for the field employees of that Bureau, as well as all other expenses connected therewith, under the jurisdiction of one committee of Congress instead of under two different committees as at the present time. And we desire to call particular attention to the reports of the Indian Bureau which indicate an increase in actual work in the Indian Bureau, and to suggest the importance of increased appropriations, where necessary, to meet these increased demands.

6. We recommend in connection with future administration and legislation in connection with Indian affairs, that an effort be made to discriminate between those activities in the Bureau devoted to the education of Indians and the protection of their health, and those devoted merely to the protection and development of their property rights, and that steps be taken to devise means whereby the Indians' property shall ultimately stand the cost of those activities

devoted to the protection or management of that property while the gratuity appropriations by the Government shall be confined as nearly as possible to their education and civilization.

7. In view of the numerous claims asserted by Indian tribes or attorneys interested in their behalf in connection with alleged breach of treaty obligations, on the part of the Government, it is recommended that trained men in the Indian Bureau be assigned to a careful study of all Indian treaties and of the history of administration thereunder, in order that the Secretary of the Interior himself may recommend legislation looking toward the securing of jurisdictional acts that will permit the proper presentation of bona fide claims before the Court of Claims under contracts with attorneys that properly safeguard the rights of the Indians. It is urged that the investigation on the part of Government employees recommended is necessary in order to avoid the danger of the employment of attorneys under unconscionable contracts with Indian tribes, and in order promptly and righteously to determine the extent of just claims of Indian tribes against the Government.

8. We recommend that in the administration of Indian property the greatest liberality consistent with the welfare of the individual Indian be exercised in permitting him to make use of his own funds derived as income from his own property, including rentals of all kinds, while at the same time the greatest care be exercised in the matter of granting certificates of competency or patents in fee to Indians not thoroughly competent to protect their property. In this connection we commend the recently established policy of the Interior Department in arbitrarily issuing patents in fee to Indians thoroughly competent to handle the same but who, in order to escape the burden of taxation, in some cases do not voluntarily file application therefor.

9. We commend the policy of the Indian Bureau in placing Indian children in public schools as rapidly as adequate facilities therein are provided, however, we wish to express a word of caution against a too rapid tendency to do away with the boarding school for Indian children in the case of those whose home facilities are not such as to give them proper industrial and moral training.

10. We recommend that most careful attention be given to the affairs of the Pueblo Indians in New Mexico and Oregon, especially to their request to have the lands of their Pueblo grant lands taken over in trust by the Government.

L U M B E R I N G O P E R A T I O N S
M E N O M I N E E I N D I A N M I L L S
Neopit, Wisconsin.

Statement for year ending September 30, 1912.

R E S O U R C E S .

Cash in office	26,618.34	
Cash on deposit, Spl. Disb. Agt's Account	26,518.25	
" " Receipts	1,134,523.39	
Less withdrawals from		
Menominee Log Fund	<u>975,433.36</u>	<u>159,090.03</u>
		<u>212,222.62</u>
Stumpage		8,365,828.81
Accounts Receivable		15,401.19
Mills and Plant		379,411.80
Lumber, lath, shingles, and other products		538,693.49
Buildings		72,357.53
Furniture and Equipment in Buildings		4,238.54
Water Works, Heating and Sewerage, Plants		16,359.20
Dams and Stream Improvements		538.35
Merchandise, Supplies and Equipment		37,504.19
Insurance (Unexpired Premiums)		7,305.96
Electric Light & Telephone Systems		10,817.57
Camp Logging roads, Landings, R. R. Spurs, etc.		17,935.32
Log Loaders, Wagons, Sleighs, etc.		11,237.13
Reservation Improvements	48,429.27	
Reservation Expense	10,117.84	
Education of Indians	<u>96,829.79</u>	155,376.90
Farm		12,200.07
Railroad and Equipment		90,657.26
Live Stock		18,487.00
Loss Dead & Down Operations	269,695.92	
Interest on Investment, Dead and		
Down Operations,	<u>34,861.92</u>	
		304,557.84
Less 33-1/3% Indian Labor, Dead &		
Down Operations,	<u>27,642.58</u>	
		276,915.26
Profit Green Timber Oper.	171,204.27	
Less Int. on Investment	151,219.97	
	<u>19,984.30</u>	
Plus 33-1/3% Indian Labor	69,187.21	89,171.51
Net Profit Green Timber Operations,		
Net Loss		<u>187,743.75</u>
		8,152,516.68

LIABILITIES.

Accounts Payable	38,742.06
Impairment Account, Depreciation Plant, etc.	83,172.87
" " " Reservation Imp.	3,598.44
United States, Cash Investment	1,062,106.79
" " Timber "	6,778,614.63
" " Interest on Investment	<u>186,081.89</u>
	8,152,316.68

PROFIT AND LOSS ACCOUNT.
Oct. 1, 1911, to Sept. 30, 1912.

CREDIT.

School Expense, Nov.1,1909, to June 30,1910	18.66	
" " 7/1/1910, to 12/31/1910	53.02	
Warehouse Merchandise, not charged Mar., 1912, Jhrs.	3.34	
Reservation Expense, Plowing Streets (Operation 6/30/10 to 9/30/11)	5.68	
" Expense Hauling school children to Keshena Nov.1 to June 30,1910	26.83	
Difference in hotel board charged operation, 6/30/10 to 9/30/11	12.47	
Exceptions to Sol.Diab.Agt's account by U.S. Auditor 6/30/10 to 9/30/11	22.36	
Stumpage difference in dates (Dead & Down Oper.)	2464.00	
" " " 11/1/09 to 6/30/10	26835.46	
" " " " Trespass 11/1/09- 6/30/10	1.24	
Oil tank condemned, now repaired and put in use, (Dead and Down Operations)	20.00	
P.S.Everest, over-remitted to Asst.Treas.Chicago	.01	
Hotel Account	399.73	
Hogs	282.16	
Ice	4.09	
Interest Earnings (charged Menominee Indians on material and labor advanced in construction and repairing dwellings for them),	190.14	
Planing Mill	5518.06	
Physician's Account	896.09	
Poles	972.07	
Profit on wanagan sold from warehouse	562.46	
Pulpwood	719.35	
Rent, dwellings	2426.75	
" tents	4.35	
" stoves and miscellaneous	8.40	
Rock Elm Timbers	6135.68	
Ties	2257.04	
Tamarack Piling	31.08	
Water taken by Wis. & Nor. R. R. Engines	117.60	
White Pine Timbers	3197.33	
Wood	661.37	
Lumber	50926.42	
Lath	11949.08	
Crating	93.93	
		\$114,817.25

DEBIT.

Error, Ice charged Geo. Pecore, Operation		
7/1/10 to 9/30/11	.60	
Error, tent rent charged Thos. Prickett, Oper.		
7/1/10 to 9/30/11	1.00	
Stumpage (Difference in rates, Operations		
7/1/10 to 9/30/11	4,090.37	
Error (Logs Co. 5 Dynamite not charged)		
Operations 7/1/10 to 9/30/11	91.50	
Trespass, Difference in Stumpage, Operations		
7/1/10 to 9/30/11	3.34	
Camp 5 Burning Brush		
Operations 6/30/10 to 9/30/11	70.73	
Fred Putnam (Uncollectible) Trespass		
Operations 6/30/10 to 9/30/11	210.20	
Labor, overpayment of Geo. Larson on payroll		
February, 1911	10.00	
Lumber, etc., sold employees, uncollectible	11.83	
Goods spoiled at warehouse	64.47	
Wanagan sold employees, uncollectible	3.40	
Basswood Bolts	681.87	
Shingles	388.66	
		5,627.97
		109,189.28

PROFIT.

Credits Operations previous to 10/1/11	29,463.06	
Debits " " " "	4,477.74	24,985.32
Profit Operation Oct. 1, 1911, to Sept. 30, 1912		84,203.96
Plus 33-1/3% Indian Labor Oct. 1/11 " " " "		24,735.38
		108,939.34
Less Interest on Investment " " " " " "		51,931.65
Net Profit " " " " " "		57,007.69
(Over & Above stumpage & Interest)		

SUMMARY PROFIT AND LOSS

Loss, Dead and Down Operations			269,695.92
Profit Operations Nov. 1/09 to June 30/10	30,844.16		
" " 7/1/10 to 9/30/11	56,156.15		
" " 10/1/11 to 9/30/12	<u>84,203.96</u>		<u>171,204.27</u>
Loss on operation			98,491.65
Plus			
Interest Dead & Down Operation	34,861.92		
" " Operation 11/1/09 to 6/30/10	29,062.94		
" " 7/1/10 to 9/30/11	70,225.38		
" " 10/1/11 to 9/30/12	<u>51,931.65</u>		<u>186,081.89</u>
			284,573.54
Less			
33-1/3% Indian Labor Dead & Down Operation	27,642.58		
" " " Operation 11/1/09 to 6/30/10	14,723.92		
" " " 7/1/10 to 9/30/11	29,727.81		
" " " 11/1/11 to 9/30/12	<u>24,735.38</u>		<u>96,829.79</u>

-NOTE-

Profit to Menominee Indian Tribe on Green Timber Operations only (without 33-1/3% Indian Labor.)		
Stumpage 88,126,544 Ft. at average of \$4.98	439,684.96	
Interest on capital invested together with all sums withdrawn from Menominee Log Fund, less deposit of receipts returned to treasury at 5%	151,219.97	
Profit over and above stumpage and interest	<u>19,984.30</u>	
TOTAL		610,889.23

This is assuming that lumber and other products are worth their cost and the most conservative estimate is, and the books of the Menominee Indian Mills will prove, that they are (excepting shingles and basswood bolts) which would, if they were all sold on Sept. 30, 1912, increase the profit over and above stumpage and interests from 19,984.30 to approximately \$100,000.00.

LUMBER

Inventory Oct. 1, 1911	515,485.50
Miscellaneous Expenses, Insurance, etc.	13,293.30
Logs	172,296.14
Stumpage, logs	141,374.24
Unloading "	4,654.50
Boomage	6,768.98
Manufacturing	75,449.67
Yarding	25,258.56
Piling	14,995.76
Shipping	38,526.73
Sales Expense	2,977.86

Sales	533,067.03
Used in construction	13,458.30
Inventory	515,482.33

Net Profit	50,926.42	
	<u>\$1,062,007.66</u>	\$1,062,007.66

Average Sales per M	\$16.11
" Cost " "	<u>14.60</u>
" Profit " "	\$ 1.51

33,780,412 Ft. Lumber Shipped.

LATH

Inventory Oct. 1, 1911	4,629.73
Miscellaneous Expenses, Insurance, etc.	413.12
Manufacturing	8,291.17
Yarding	1,921.09
Shipping	1,201.19
Sales Expense	164.90

Sales		24,470.62
Used in construction		96.76
Inventory Sept. 30, 1912		4,002.90
Net Profit	<u>11,949.08</u>	
	\$28,570.28	\$28,570.28

Average Sales per M	\$2.35
" Cost " "	<u>1.19</u>
" Profit " "	\$1.16

10,433,200 Lath Shipped.

CRATING

Inventory Oct. 1, 1911	1,642.61	
Manufacturing	2,879.80	
Yarding	639.18	
Shipping	12.59	
Miscellaneous Expense, Insurance, etc.	53.05	
Sales Expense	<u>.84</u>	
Sales		282.00
Inventory Sept. 30, 1912		<u>5,040.00</u>
Net Profit	<u>93.93</u>	
	\$5,322.00	\$5,322.00

120,000 Ft. Sold and Shipped

Profit per M 78¢.

WOOD ACCOUNT.

Oct. 1, 1911, Inventory	104.00	
Labor	1,656.88	
Board of Teams	432.23	
Blacksmith shop, Shoeing	16.55	
Depreciation, Wood Yard	29.95	
" Wagons, Sleighs, etc.	17.00	
" Horses	38.07	
" Harness	30.68	
4' Slabs Sold	18.00	
Live Stock Expense	32.53	
Sales Expense	60.00	
General Expense	95.74	
Sales		2,980.00
Inventory		213.00
Net Profit	<u>681.37</u>	
	3,193.00	3,193.00

Approximately 1600 Cords. Profit approximately 41¢ per Cord.

TIES

Paid contractors	7,080.88	
Labor, counting, etc.	5.20	
" skidding, loading, etc.	1,058.29	
Board of Men	352.79	
" " Teams	15.74	
Depreciation, Horses	2.86	
" Harness	.84	
Live Stock Expense	2.96	
Trackage paid W. & N., hauling	2.40	
R. R. Fuel Expense, Loading and hauling	79.10	
R. R. Supplies, Lub. & W. "	6.09	
Sales, Expense	42.00	
" " (Traveling of Supt.)	<u>20.90</u>	62.90
General Logging Expense	36.65	
General Expense	69.21	
Stumpage	2,153.32	
Freight paid on ties xx Neopit to Shawano	1,168.48	
Used by Menominee Indian R. R. 9629		1,507.13
Sales		9,769.48
Inventory 19606 ties @ \$.157		3,078.14
Net Profit	<u>2,257.04</u>	
	\$14,354.75	\$14,354.75

Sold and shipped 30184 ties.
Net profit per tie \$.07-2/5.

PULPWOOD.

Paid contractors for cutting	\$1,667.12	
" " " peeling	120.89	
General Logging Expense	5.00	
General Expense	11.00	
Sales "	20.00	
Sales		2,374.91
Inventory		168.45
Net Profit	<u>719.35</u>	
	\$2,543.36	\$2,543.36

634 Cds. sold. Profit per cord \$1.13

634 cords is billed against purchaser and paid for but is not shipped. Only portion of it is peeled. Balance to be peeled and adjustment of account to be made when shipped.

POLES.

Paid contractors for cutting	\$ 672.94
Labor, inspecting	25.90
" skidding and loading	170.83
Board of men " " "	44.29
" " teams " "	16.04
Warehouse " " "	7.84
Depreciation, Horses, Skidding and Loading	1.38
" Harness " " "	.40
Live Stock Expense " " "	1.42
Trackage paid W. & N. R. R.	12.00
Labor, loading and transferring	23.69
R. R. Fuel Expense	79.10
" Supplies	6.09
General Logging Expense	13.68
General Expense	24.23
Sales Expense	25.00
Stumpage (Poles cut Oct. 1/11 to Sept.30/12)	220.56

Poles used in electric light plant construction(86 poles)	75.18
Sales	2,115.10
Inventory, 196 poles	126.18

Net Profit

972.07

\$2,316.46

\$2,316.46

1145 Poles sold and shipped.

Profit per pole \$.85

ROCK ELM TIMBERS

Expense of logging borne by purchaser.

General Expense	124.06
General Logging Expense	89.56
Sales Expense	14.61
Depreciation, Camp Buildings	100.00
Stumpage	<u>1,045.53</u>

Sales		\$7,508.44
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Net Profit	<u>6,138.68</u>	
	\$7,508.44	<u>\$7,508.44</u>

Profit per M \$29.46

208,290 Ft. sold and shipped.

PINE TIMBERS

Expense of logging borne by purchaser.

General Expense	44.53
General Logging Expense	32.15
Sales Expense	4.26
Stumpage	668.53

Sales		\$3,946.80
Net Profit	<u>3,197.33</u>	<u>\$3,946.80</u>
	\$3,946.80	\$3,946.80

Profit per M \$52.65

60,720 Ft. sold and shipped.

TAMARACK PILING

Labor	24.75
General Expense	1.10
General Logging Expense	.80
Stumpage	2.75

Sales		60.48
Net Profit	<u>31.08</u>	<u>60.48</u>
	60.48	60.48

Profit per M \$27.26

1140 Ft. Sold.

PLANING MILL

Labor	\$ 8,785.68
Power furnished by saw mill	640.50
Planing mill supplies, Misc.	636.34
" " " Lub. & Waste	190.69
Electric Light Expense	118.54
Depreciation, Water Works, Plant & System	35.97
" " " Fire Pump	2.48
" " " Hose & Equipment	19.77
" 500' Fire Limit	12.87
" Planing Mill & Machinery	984.01
Nightwatch expense	55.55
Fire Protection, Cleaning up refuse, etc.	70.33
Insurance	352.35
General Expense	476.53

14,172,832 Ft. Milled at various prices \$15,899.67

Net Profit 3,518.08

\$15,899.67 \$15,899.67

Average price received for milling lumber \$1.12 per M.
" cost to work lumber .87 " "

Average Profit .25 " "

Average cost to work lumber without overhead charges \$.73

Cost of building and machinery \$26,556.80
" " repairs 363.23

\$26,920.03

Profit of 13% on investment.

HOTEL

Wood	\$	320.50
Depreciation, Heating Plant		175.20
" Sewerage		33.49
" Water Works, Plant & System		23.98
" " Fire Pump		1.64
" " Hose & Equipment		13.18
" Hotel Building		403.33
" Furniture & Equipment		235.28
" Wells & Pumps		16.17
Nightwatch Expense		55.55
Telephone Expense		25.77
Insurance		218.00
Electric Light Expense		292.97

Rental Received			\$2,214.79
Net Profit		399.73	
		<u>\$2,214.79</u>	<u>\$2,214.79</u>

Hotel leased to Ira A. Beane, at a rental of 50¢ per week per man, computed on number of meals of men boarding at hotel.

Cost Building	\$10,119.41
" Repairs	865.82
" Equipment	<u>2,955.57</u>
Investment	\$13,940.80
Profit of 2.7% on investment.	

PHYSICIAN'S ACCOUNT

Inventory Drugs, etc., Oct. 1, 1911	\$ 351.23
Labor	1,200.00
Drugs, etc. (purchased)	703.15
Board of Physician's Horse	250.88
Depreciation Physician's Dwelling	62.29
" " " Furniture	4.35
" " " Office	13.70
" " " Equip. & Furniture	
" " " Instruments	29.15
" Heating Plant, Office & Dwelling	41.21
" Sewerage, Dwelling	11.16
" Water Works, Plant & System	11.99
" " " Fire Pump	.82
" " " Hose & Equipment	6.59
" Wagons, Sleighs, etc.	7.00
" Horse	21.14
" Harness	18.07
Live Stock Expense	17.68
Electric Light Expense	54.15
Long Distance Telephone Expense	.90
Freight on Water Samples	1.15
General Expense	71.32

Medical Fees collected	\$3,597.37
Inventory Drugs, etc., Sept. 30, 1912	467.49

Death & Accident Expense	290.12
Net Profit	896.81

\$4,064.86

\$4,064.86

Net Profit \$896.81

Death & Accident
Expense 290.12

\$1,186.93

RENT, DWELLINGS

Depreciation, Wells and Pumps	\$ 59.49	
" Permanent Dwellings	1,509.39	
" Tarpaper	551.40	
" Water Works, Plant & System	11.99	
" " Fire Pump	.82	
" " Hose & Equipment	6.59	
Insurance	56.62	
Labor, Supt. Const. looking after rentals, etc.	170.00	
Lumber given employees for fences for gardens	9.44	
Rentals		\$4,802.49
Net Profit	<u>2,426.75</u>	
	\$4,802.49	<u>\$4,802.49</u>
Cost Dwellings	\$43,457.39	
" Repairs	<u>2,465.93</u>	
Investment	\$45,923.32	
Profit of 5.3% on investment		

RENT, TENTS

Rentals		\$4.35
Net Profit	<u>\$4.35</u>	
	\$4.35	<u>\$4.35</u>

RENT, STOVES & MISCELLANEOUS

Rentals		\$8.40
Net Profit	<u>\$8.40</u>	
	\$8.40	<u>\$8.40</u>

HOGS

Inventory Oct. 1, 1911, hogs	\$489.00
" " " " feed	4.68
Warehouse, feed	49.08
Labor and expense penning and loading	60.10
Trackage paid W. & N. R. R. Co.	1.20

Sales		\$886.22
Net Profit	<u>282.16</u>	
	\$886.22	\$886.22

Water taken by Wis. & Nor. R. R. Co. Engines.

Total water taken		\$117.60
Net Profit	<u>\$117.60</u>	
	\$117.60	\$117.60

ICE.

Labor	Harvesting, etc.	221.62	
Blacksmith shop, showing,	"	1.25	
Warehouse	"	3.85	
Board of Teams	"	16.03	
Live Stock Expense	"	1.48	
General Expense	"	14.76	
Depreciation, Horses,	"	1.43	
"	"	.42	
"	Ice House Building	40.24	
"	" " equipment	.93	
Labor and Expense delivering		40.00	
Sales			331.10
Inventory			15.00
Net Profit		<u>4.09</u>	
		346.10	346.10

PROFIT ON WANAGAN

SOLD TO EMPLOYEES DIRECTLY FROM WAREHOUSE.

Profit Oct. 1, 1911 to Sept. 30, 1912		523.29
Discount on Invoices		39.17
Net Profit	\$ 552.46	<hr/>
	\$ 562.46	562.46

INTEREST EARNINGS.

Interest charged to Menominee Indians for whom the Menominee Indians Mills have built and repaired houses at 5% on amounts advanced.			\$190.14
Net Profit,	\$190.14	<hr/>	
	\$190.14		190.14

WOOD-CONTRACT

Wood Piled while burning Brush Cp. 5

Paid contractors for cutting		\$1,736.00
Labor	Hauling	149.47
Board of Teams	"	118.48
Depreciation, horses	"	6.32
"	harness, "	1.86
"	Wagons, Sleighs, etc.	9.75
Live Stock Expense		6.56
General Logging Expense		5.00
General Expense		18.14
Sales Expense		20.00

Sales		1,337.25
Inventory 1,398½ Cds. @ 80¢		1,118.80
Net Profit	<u>384.47</u>	<u> </u>
	\$2,456.05	\$2,456.05

Sales 521½ Cds. Profit 73¢ per cord

Profit credited to Cp. 5 Burning Brush.

SUMMARY OF PROFIT ON WANAGAN
CAMPS.

Inventories Oct. 1, 1911	276.32	
Warehouse	5,764.85	
Transferred from camps	487.26	
Sales		7,287.32
Discount on invoices		120.66
Transferred from camps		525.23
Returned to Warehouse		39.85
Inventories on hand Sept. 30, 1912		521.87
Net Profit	<u>1,966.50</u>	<u> </u>
	8,494.93	8,494.93
Profit on goods sold 36%		
Profits credited to camp accounts.		
PROFIT ON WANAGAN SOLD BY CAMPS,		\$1,966.50
PROFIT ON WANAGAN SOLD to Mill and		
Yard employees by War house,		<u>562.46</u>
TOTAL PROFIT on wanagan,		2,528.96

CAMP FOUR WANAGAN

Inventory Oct. 1, 1911	29.06	
Warehouse	124.37	
Sales		167.02
Discount on Invoices		3.04
Returned to Warehouse		33.35
Net Profit	<u>49.98</u>	<u> </u>
	203.41	203.41

Profit on goods sold 40%

Profit credited to Basswood bolts.

CAMP ELEVEN WANAGAN

Inventory Oct. 1, 1911	168.39	
Warehouse	2,227.57	
Transferred from Cp. 14	96.80	
Sales		3,048.54
Discount in Invoices		49.47
Transferred to Cp. 11 Burning Brush		177.16
" " Cp. 15		37.97
Net Profit	<u>820.38</u>	<u> </u>
	3,313.14	3,313.14

Profit of goods sold 36%

Profit credited to Cp. 11 Logs, Cp. Loading Logs,
and Cp. Burning Brush. Pro-rated on labor.

CAMP TWELVE WANAGAN

Inventory Oct. 1, 1911	78.87	
Warehouse	1,905.17	
Sales		2,236.74
Discount on Invoices		37.43
Transferred to Cp. 14		213.30
Net Profit	<u>503.43</u>	<u> </u>
	2,487.47	2,487.47

Profit on goods sold 28%

Profit credited to Cp. 12 Logs, Cp. 12 Loading

Logs and Cp. 1 Burning Brush, Pro-rated on Labor.

CAMP FOURTEEN WANAGAN.

Warehouse	1,443.24	
Transferred from Cp. 12	213.30	
Sales		1,731.37
Discount on Invoices		29.96
Transferred to Cp. 11		96.80
Inventory Sept.30,1912		358.23
Net Profit	<u>559.82</u>	<u> </u>
	2,216.36	2,216.35

Profit on goods sold 46%

Profit credited to Cp. 14 Logs, Cp.14 Loading Logs,
and Cp. 14 Burning Brush. Prorated on labor.

CAMP THIRTEEN WANAGAN

Warehouse	22.50	
Sales		19.00
Returned to warehouse		6.50
Net Profit	<u>3.00</u>	<u> </u>
	25.50	25.50
Profit on goods sold 18%		
Profit credited to Cp. 13 Burning Brush		

CAMP ELEVEN BURNING BRUSH WANAGAN

Transferred from Co.11	177.16	
Warehouse	42.00	
Sales		84.65
Discount on Invoices		.76
Inventory Sept. 30, 1912		163.64
Net Profit	<u>29.89</u>	<u> </u>
	249.05	249.05
Profit on goods sold 52%		
Profit credited to Cp.11 Burning Brush.		

SHINGLES.

Inventory v Oct. 1, 1911	3,098.00
Misc. Expense, Insurance, etc.	104.48
Shipping	182.50
Sales Expense	29.02
Manufacturing	1,635.24
Shingle Timber	1,390.31
Stumpage	643.59
Yarding	220.85
Unloading	21.67
Boomage	98.70

Sales	4,415.75
Used In construction	485.90
Inventory Sept. 30, 1912	2,134.05
Net Loss	<u>388.66</u>
	<u>7,424.36</u>
	7,424.36

Average cost	1.86 per M
" Sales	<u>1.71</u> " "
" Loss	.15 " "

2,843,500 shipped
21,750 Shortage
 2,865,250

BASSWOOD BOLTS.

Labor	1,569.46	
Board of Men	708.41	
" " vTeams	190.05	
Tools and Equipment	96.82	
Blacksmith shop, shoeing	14.00	
Camp Buildings	109.30	
Paid Contractors for cutting by cord	122.40	
" " " hauling	1,163.67	
Depreciation, Horses	16.81	
" Harness	4.95	
Live Stock Expense	17.44	
General Expense	123.13	
General Logging Expense	72.96	
Sales Expense	20.00	
Profit on Wanagan sold		29.98
Sales		2,599.71
Inventory		897.84
Net Loss		<u>681.87</u>
	<u>\$4,229.40</u>	<u>\$4,229.40</u>

Loss per cord, \$ 1.51

453 cords sold and shipped.

DEPARTMENT OF THE INTERIOR
OFFICE ASSISTANT COMMISSIONER OF INDIAN AFFAIRS
WASHINGTON

October 2, 1913.

My dear Commissioner Ayer:

I think you may be interested in the enclosed copy of the schedule of the present Indian Office organization, and the printed regulations governing Indian schools and the handling of individual Indian money.

These regulations are some which were prepared by me several months ago, but which have just recently been approved and promulgated by the Department.

Sincerely yours,



Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Illinois.

(COPY)

G-1

Room 28, Bureau of Mines.

October 11, 1913.

The Secretary of the Interior,
Washington, D.C.

Sir:

I have the honor to report that I have this day entered upon duty as Secretary and Special Disbursing Agent of the United States Board of Indian Commissioners.

Very respectfully,

(Signed) *F. H. Abbott*
Secretary.

B-v

Room 28, Bureau of Mines

October 16, 1913.

Hon. George Vaux, Jr.,

Chairman, Board of Indian Commissioners,

1606 Morris Building,

Philadelphia, Pa.

My dear Mr. Vaux:

I hasten to send to you copy of a letter just this moment received from Honorable A. A. Jones, Acting Secretary of the Interior, relative to the printing of the annual report of the Board. Copies of the Secretary's letter and this letter to you are being mailed to all members of the Board.

Sincerely yours,

Secretary.

(C O P Y)

DEPARTMENT OF THE INTERIOR

Washington

October 14, 1913.

The Board of Indian Commissioners,

Washington, D. C.

Sirs:

Your annual report for the fiscal year ending June 30, 1913, has been forwarded to the printer, but it has been deemed advisable not to print the report by Mr. Warren K. Moorehead on conditions in Oklahoma. This report by Mr. Moorehead is a valuable one to the files of this office, but I do not feel that it is proper to print this article as a portion of a Department report. This report contains a rather severe criticism of the action of the Oklahoma delegation in Congress, and it is not believed that it is within the provision of an executive department to issue printed matter reflecting upon the attitude of members of a coordinate branch of the Government. This report also contains a statement concerning general conditions in Oklahoma that are only indirectly related to the problems of the Indians. These statements will stir up antagonism and resentment in Oklahoma, and I fear will only add to the difficulties already presented in working out the problems of the Oklahoma Indians. This Department has no desire to curtail a full and free discussion of administrative problems, but many things that might be said with freedom by a person acting in his individual capacity cannot well be printed in a report issued by an executive department.

Respectfully,

A. A. JONES,
Acting Secretary.

(C O P Y)

DEPARTMENT OF THE INTERIOR

General Land Office

Washington.

October 17, 1913.

(Procedure in passing upon the
(sufficiency of fourth section
(allotments.

Mr. F. H. Abbott,

Secretary of the Board of Indian Commissioners,

Room 28, Bureau of Mines,

Washington, D. C.

My dear Sir:

I am in receipt of your letter of October 13, 1913, in which you ask to be furnished with information as to the procedure followed in passing upon the sufficiency of allotment applications on the public domain, made by Navajo and Papago Indians of Arizona and New Mexico, under the fourth section of the general allotment act, particularly with reference to the construction placed by this office upon the term "settlement", as a prerequisite to the approval of applications for allotments under the said act.

Under the form of proof required of an Indian in connection with his allotment application under the act of February 8, 1887, (24 Stat., 388), and the acts amendatory

October 18, 1913.

To Members of the Board of Indian Commissioners:

Commissioner Sells today gave me two bits of information which will be of interest to you:

First, Congress yesterday passed a special bill permitting the use of \$10,000 of the appropriation of \$50,000, carried in the last Indian Bill for the determining of heirs to deceased Indians, for the employment of clerks in the Indian Office. This will permit the Indian Office to keep the office end of this important work abreast^{that} of the field men:

Second, word has just been received from Guthrie, Oklahoma, of the reindictment by the Federal Grand Jury, under new charges, of officials of the Uncle Sam Oil Company and others interested in efforts last year to control the Osage council in the matter of the leasing of Osage oil lands. In the indictment these men are charged, not only with conspiracy, but with alienating the Indians from the Government.

Isaiah
Secretary.

my

Andover, Mass , October 18, 1913.

Honorable A. A. Jones,
Acting Secretary of the Interior,
Washington, D.C.

Sir:

I have received through Honorable F. H. Abbott copy of your letter to the Board of Indian Commissioners. I have not had time to consult with the other members of the Board, and this reply is formulated on my own responsibility.

I note that you decline to publish in the annual report of the Board of Indian Commissioners, my investigation of conditions in Oklahoma. I am both pained and astonished at your decision.

Some years ago, Honorable James R. Garfield, then Secretary of the Interior, declined to print our report taking the grounds that the Board was not sufficiently active, or was presenting synopsis of investigations by others. During the past few years I have made some investigations with the sanction of members of this Board.

From your letter, you object to my report not because it is a statement of intolerable conditions obtaining in Oklahoma, and true, but because it will involve the Department in a Congressional controversy, or if not, will cause trouble in Oklahoma.

From the position taken by your predecessor, and the position now assumed by yourself, it would seem to me as a member of the Board that we must neither be aggressive in the cause of publicity nor act in the capacity of reviewers.

I am thoroughly familiar with the Oklahoma situation and have reports from most of your officials in the field. These indicate that the bulk of

our Indians are drifting into pauperism and that unless reforms are not only instituted but put into effect, the taxpayers of this country will assume a grievous burden.

Publicity is all that will save the Oklahoma situation. I am firmly convinced that with the exception of Honorable William H. Murray and one or two others, that the Oklahoma Congressmen will oppose that which should be done in Oklahoma. Nothing short of the fullest and freest publicity, including an expose at length of all persons, whether high or low, engaged in Oklahoma affairs will force action on behalf of the Indians. By suppressing my report, I am firmly convinced that you give aid and comfort to the very forces I am combatting, and the influences that your best men in Oklahoma are opposing.

The American people should know the truth regarding affairs in Oklahoma. If the Indians there have not been defrauded out of their property, the Oklahoma delegation would not oppose the publishing of my report, for the very good reason that it would strengthen them and cast discredit upon me. They know very well that the report is true.

Please do not misunderstand me when I say that we are face to face with a crisis in Indian affairs. That although your great office would be the last to countenance further despoilation of the Indian, yet your proposal to suppress a just and true report of the needs, the sufferings, and the rights of the Oklahoma Indians, simply plays into the hands of the grafters. We need the mailed fist, the drawn sword in the Indian Service. We have had far too much diplomacy.

I greatly deprecate your action, and beg that you reconsider same. If you conclude that my official report must not be published, then I shall feel it my duty, as a friend of the Indian, to publish this and other matters in book form in all their details, in order that our recent dealings with the Indian may take their proper place in American History.

Very respectfully yours,

Wm K. Moorhead

Member of the United States Board of Indian Commissioners.

Chicago. October 21st, 1913.

Mr. Warren K. Moorehead,
Andover, Mass.

Dear Sir:

Referring to copy of your letter of October 18th, to Hon. A. A. Jones, Acting Secretary of the Interior, which you mailed to Mr. Ayer, I have forwarded same to Mr. Ayer, who is at Hot Springs, Virginia, at "The Homestead" hotel. I understand he intends to return to Chicago the latter part of this month.

Yours very truly,


Secretary.

Christian Science Monitor
October 25, 1915.

EXPERT CONTROL OF INDIAN AFFAIRS.

The plan endorsed by the Mohonk conference for taking the Indian problem out of politics and putting it under the control of a commission of paid specialists is one that commends itself to most persons at all conversant with present and past results of a more or less partizan and amateur method. Canada, for instance, never has had any such scandals in her Indian service as the United States has had. Her Indian policy does not undergo any such violent changes as often come, in the United States, with naming of secretaries of interior. Canada consequently has steadily conserved the life, property and tribal welfare of her aborigines, and has policed their doings with tact and firmness.

To induce the United States Congress to concede to any commission full authority over all aspects of the Indian service, is a chimerical task. Final authority, especially fiscal, it will not admit. But it can, and perhaps should, give to a new creation, a new administrative agency, powers not divided between officials in the department of the interior, who are already overburdened with duties. There is reason for believing that officials who have endeavored to cope with Indian problems under present inadequate and ineffective methods of administration would favor any action by Congress looking toward more rational methods. Of course Congress, once it intimated any purpose of the sort, would be beset by forces which profit pecuniarily by a lax and ineffective guardianship of Indian property rights. Anything that will tend toward genuine conservation of the billion dollars' worth of property which the Indians have is likely to be fought resolutely by venal factors in political life.

10/27
F. H. Abbott
10/27

BOARD OF INDIAN COMMISSIONERS
Washington, D. C.
Room 28, Bureau of Mines.

October 27, 1913.

Hon. Edward E. Ayer,

1515 Railway Exchange Building,
Chicago, Ill.

My dear Commissioner Ayer:

At a meeting of the Board at Mohonk Lake, on Thursday, October 23d, it was decided to hold another meeting at the Board's offices in Washington, on November 7th and November 8th. The purpose of this meeting is primarily to discuss the estimates made to Congress for the expenses of the Indian service for the fiscal year ending June 30, 1915, and to take up these estimates in a preliminary way with members of the Indian committees as well as with the administrative officers of the Interior Department and the Indian Office. It is intended at this meeting to map out a definite program for the coming year with respect to investigations in the field and administrative and legislative matters requiring attention in Washington. Owing to the very great importance of the subjects to be discussed and their bearing upon the future activities of the Board, I was directed to invite attention to the urgency of having all members of the Board present.

Sincerely yours,

(Signed) F. H. Abbott,
Secretary.

Mr. Moorehead's Card of Correction

In the last issue of the Townsman was contained an article copied from a press dispatch and stating that I was censured by the Secretary of the Interior. As this has caused some comment in Andover, I desire to inform the public that I was not censured by the Secretary of the Interior, and that no telegram from him was received by me.

The story is entirely too long to be narrated in your columns. Suffice it to say that the fight for publicity in Indian affairs was won independently of the action of the Secretary of the Interior in not publishing an official report. The Lake Mohonk Conference, where the facts were made public, voted unanimously to establish a certain platform, and in this platform a National Commission to take over Indian Affairs was recommended. My paper at the recent Conference was prepared solely with this end in view. The refusal of the Secretary of the Interior to print my report resulted in its obtaining ten times the publicity it would have received had he published it. At this writing I am in receipt of press clippings and letters from all over the country concerning the affair, and requesting copies of the pamphlet exposing the dreadful situation in Oklahoma.

This pamphlet had been printed here in Andover last May in anticipation of adverse action as to publication in Washington.

What the Secretary of the Interior objected to was not my individual work, but he did not wish to be drawn into a controversy with Congress and he acted within his rights in declining to print a reflection on Congress, for the reason that he is dependent on that body for his appropriations. Neither the Secretary, nor Congress, nor any of the Oklahoma grafters denied the statements made, and all of them have access to copies of my report, in the Secretary's office, the Indian Office, and library of Congress.

As the present fight in Oklahoma centers about property of enormous value (rising \$500,000,000) the Secretary must be very circumspect with reference to his official action. His personal letter to me indicates that he is entirely in sympathy with me. It is most unfortunate that the Press, in its otherwise correct statement, implied that I was censured. If there is any censure at all to be found in the fight for justice for the Indian, it is on Washington rather than on me.

W. K. MOOREHEAD
Member U. S. Board Indian
Commissioners

tion.

Warren R. Keith of Brockton, Progressive Party.

Frederick W. Mansfield of Boston, Democratic.

Dennis McGoff of New Bedford, Socialist Labor.

AUDITOR. VOTE FOR ONE

Herbert S. Brown of Greenfield, Prohibition.

David Craig of Milford, Socialist Labor.

Octave A. La Riviere of Springfield, Progressive Party.

Samuel P. Levenberg of Boston, Socialist.

Frank H. Pope of Leominster, Democratic.

John E. White of Tisbury, Republican.

ATTORNEY-GENERAL

VOTE FOR ONE

Thomas J. Boynton of Everett, Democratic.

Freeman T. Crommett of Chelsea, Prohibition.

John McCarthy of Abington, Socialist.

H. Huestis Newton of Everett, Progressive Party.

Ingvar Paulsen of Boston, Socialist Labor.

James M. Swift of Fall River, Republican.

COUNCILLOR. VOTE FOR ONE

Fifth District

James E. Donoghue of Lawrence, Democratic.

Edward G. Frothingham of Haverhill, Republican.

Nathan Huntington of Merrimac, Socialist.

Charles P. Tindley of Beverly, Progressive Party.

SENATOR. VOTE FOR ONE

Fifth Essex District

John P. S. Mahoney of Lawrence, Democratic.

Joseph A. Murphy of Lawrence, Socialist.

James W. Riley of Methuen, Progressive Party.

James R. Tetler of Lawrence, Republican.

REPRESENTATIVES IN GENERAL

COURT. VOTE FOR TWO

Fifth Essex District

James Bolton of Methuen, Progressive Party.

Arthur Bower of Lawrence, Republican.

Alfred J. Burckel of Lawrence, Republican.

Michael H. Collopy of Lawrence, Democratic.

John E. Cuddy, Jr., of Lawrence, Democratic.

George F. Hart of Methuen, Progressive Party.

Carl Vogt of Methuen, Socialist.

John Witzgall, Jr., of Lawrence, Socialist.

REPRESENTATIVE IN GENERAL

COURT. VOTE FOR ONE

Sixth Essex District

Peter Carr of Lawrence, Democratic.

REPRESENTATIVE IN GENERAL

COURT. VOTE FOR ONE

Seventh Essex District

Frederick Butler of Lawrence, Republican.

John H. Cronin of Lawrence, Democratic.

REPRESENTATIVE IN GENERAL

COURT. VOTE FOR ONE

Eighth Essex District

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Andover, Mass., November 3, 1913.

Honorable Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

My Dear Mr. Ayer:

I have not written you since the Mohonk Conference, being too busy. I suppose you are still away from Chicago.

The publicity campaign I have been waging is the best thing that ever happened for the American Indian. There have been press notices all over the United States and I have received personal letters from many people.

At the conference the business committee included in the annual platform my suggestion that a National Commission with absolute authority be appointed to handle the Indian problem. The Conference voted to adopt this.

Nearly everyone thought it was the best Conference held. The Government employees were all in favor of radical action. I think that most of the members of the Board approved of all that was done. Mr. Shiley did and also the others.

It is unfortunate the newspapers stated the Secretary of the Interior censured me. This is untrue and he did nothing of the sort. There were unusual number of newspaper men present and much interest centered in what our Board was doing. I hand you my card of correction printed in our local paper here which gives the correct version.

The report of what was found in Oklahoma, printed privately by me, was given ten times the publicity it would otherwise have received, by the Secretary's action. We are now busy sending out copies and the report will soon be exhausted.

I handed Mr. Abbott, our Secretary, the vouchers for the money spent in Oklahoma and you can have them, or see them, at any time. I hope to be able to see you some time this winter.

With best wishes, I am,

Very sincerely yours,

Wm. K. Moorhead

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

B-2

Room 28, Bureau of Mines.

November 8, 1913.

Dear Commissioner Ayer:

I have mailed today letters to other members of the Board similar to the enclosed copy, in accordance with your request. I am also enclosing herewith copy of my Mohonk paper on the Navaho situation. After you have had opportunity to read this paper, on account of your wide first hand knowledge of the Navaho, I should very much like to have your frank criticisms of the same.

I hope you and Mrs. Ayer had a safe and pleasant journey home.

Sincerely yours,

J. H. C. C. C. C.
Secretary.

Honorable Edward E. Ayer,
1515 Railway Exchange Bldg.,
Chicago, Ill.

B-v

Room 28, Bureau of Mines.

November 8, 1913.

My dear Commissioner Vaux:

Commissioner Ayer, who had another satisfactory conference with Secretary Lane before his departure for Chicago this morning, requested me to inform the other members of the Board that the Secretary wished him to say to all members of the Board that he was pleased to know that Commissioners Eliot and Ketcham were making plans for field investigations among the Pueblo, Papago and Navaho, and of Commissioner Ayer to make an investigation of the Menominee Indian mills, and that he and the Commissioner of Indian Affairs would be glad to receive reports from them.

Sincerely yours,

Secretary.

Hon. George Vaux, Jr.,
1606 Morris Building,
Philadelphia, Pa.

THE NAVAHO INDIANS AND THE PUBLIC DOMAIN.

As yet, there is no Navaho Indian problem. There never need be such a problem.

The most of our so-called Indian "problems" today are due to the failure of the government in the past to grasp the situation at the time and to act. Administrators or legislators, generally with good intentions, but often with woeful lack of accurate information as to the real conditions and needs of the Indians, have left the barn door open while the horse escaped. When too late they have tried to lock the door and often have engaged in useless debate as to which has the best kind of lock for the empty barn. At White Earth the horse escaped while the guards slept. The Oklahoma Indian "problem" is the result of a series of lapses, legislative and administrative--failures to foresee dangers and to prevent them by prompt and wise and vigorous action needed at the time.

What friends of the Indians, inside and outside the government service need to do in the future is to spend more time in locking the doors and less time in chasing the thieves. In most cases the theft can be avoided by the exercise of ordinary intelligence and vigilance and courage on the part of Indian Service officials. For instance, there was organized a little more than one year ago a combination to control the vast oil resources of the Osage Indians which if it had been successful would have dwarfed the White Earth scandal into insignificance. But it didn't win. The conspirators were caught and downed in their tracks; and because of their defeat hundreds of thousands of dollars annually, which if the combination had succeeded would have found way to the pockets of the oil men, will now find way to the pockets of the rightful owners, the Indians.

Similar prompt and intelligent action in the affairs of the Navaho Indians will prevent the origin of a Navaho problem in the sense that we have an Oklahoma Indian problem.

Today, the Navaho Indians are unspoiled; they are industrious, self-supporting, temperate, law abiding, altogether the most promising full-blood Indian population in the country. The total population reported for June 30, 1913, was 31,635, practically all full bloods. By the treaty of 1868 they were given a reservation in Arizona of 3,225,600 acres. From time to time since that date, their reservation has been increased and modified by executive orders to meet their needs until their reservation now includes over 12,000,000 acres in Arizona and New Mexico. On June 30, 1913, their estimated personal property consisted of approximately 1,500,000 sheep and goats; 30,000 cattle; 325,000 horses and mules, while the blankets of their own manufacture for the year amounted probably to approximately \$500,000, and their agricultural products for the year were probably worth \$250,000.

In addition to this personal property, the merchandisable ~~wood~~ timber on the reservation is estimated at 3,000,000,000 feet, worth \$7,500,000, while the reservation is underlain with one of the largest low grade coal beds to be found anywhere in the United States, estimated by the Geological Survey to cover an area of 3,208 square miles and to contain an available tonnage of 16,170,000,000, lying within 2,000 feet of surface, which if valued at one cent per estimated ton would be worth over \$150,000,000.

The great resources of these Indians, just enumerated, when considered in connection with the fact that they are wholly self-supporting, would be a sufficient guarantee for their future welfare

without government intervention or much government supervision beyond furnishing schools (1) if all of them were now living on the reservation; (2) if there were unquestionably room within the borders of the present reservation for all to live and maintain themselves and their families; (3) if there were no danger of diminishing the present area of their holdings through an ill-advised and over-hastened allotment of their lands and opening of parts of the reservation to white settlement and (4) if all their grazing lands were compact. instead of being checkerboarded as they are along the line of the Santa Fe railroad by the holdings of alternate sections by the railroad company.

It is these four conditions in Navaho affairs which are important for present consideration, and which I shall attempt briefly to present.

(1) THE NONRESERVATION NAVAHOES AND THEIR ALLOTMENT ON THE
PUBLIC DOMAIN

Estimates varying from 5000 to 9000 have been made of the number of Navaho Indians living outside the reservation. Of these, fewer than 1000 living on the public domain are still unallotted. They are distributed as follows: Pueblo Bonito country, 250; near Gallup and the Fort Defiance jurisdiction, 160; near the Eastern Navaho jurisdiction, 160; near Canoncito, 150; near the Zuni reservation, 100; near the San Juan jurisdiction, 50; and scattered Indians, estimated at 135. Altogether approximately 5000 allotments have been made to Navaho Indians of which about 1254 have been made to Indians residing on the public domain. (See foot note).

Can and should these remaining 1000 unallotted public domain Indians be allotted ?

Under the law they are clearly entitled to allotment. This right is specifically conferred in the fourth section of the General Allotment Act. It is a right which cannot be taken away except by Congress

itself. The Commissioner of Indian Affairs and the Secretary of the Interior have no discretion whatever in the premises.

The last Indian Bill contained an item providing that no part of the appropriation for making allotments, surveys and resurveys should be used to allot Indians on the public domain in Arizona and New Mexico. Some have understood that provision as setting up a bar to further allotment of Navaho Indians on the public domain. Such is not the case. This proviso merely places the Indian on the public domain on exactly equal footing with the white homesteader, so far as the expense of the survey is concerned. If the Indian cares to pay the cost of the survey necessary to trace the boundaries of his allotment, and makes application to the General Land Office and furnishes the proof of settlement required, he is entitled to a patent for his land.

The question of whether the remaining Navaho Indians residing on the public domain ought to select allotments there or return to the reservation, is another question and one for each individual Indian to settle for himself.

The Navaho Indian who decides to remain on the public domain necessarily must forfeit all further right and interest in the reservation. Article 13 of the treaty of 1868 provides, "if any Navaho Indian or Indians shall leave the reservation herein described to settle elsewhere, he or they shall forfeit all the rights, privileges and annuities conferred by the terms of this treaty". Before any more Navaho Indians select allotments on the public domain they should be fully advised of this treaty provision. They should also be told of the estimated timber and mineral wealth on the reservation in which they would share if they should remain to the reservation. They should be advised furthermore of the limitations of the Indian Office

to protect them or their property on the public domain, beyond the boundaries of their allotments, and of the fuller authority of the Indian Office within the borders of the reservation. They should be advised too, that they cannot under the treaty live on the public domain and graze their stock on the reservation, that they must make a choice. After this has been done the representations of the government will have done their full duty and will have gone as far as they have a moral or legal right to go. Then, the Indian should be left to choose for himself.

Since the acquisition of statehood by Arizona and New Mexico there has been opposition on the part of the representatives of these two states in Congress to the further allotment there of Indians on the public domain. It has been contended by them that reservations having been created for all these Indians, to give them allotments on the public domain not only is contrary to the spirit of the treaties and of the executive orders creating the reservation, but that owing to the untaxed character of Indian lands and the fact that about 16,000, 000 of acres of these two states are taken up in Indian reservations, it is an injustice to the white citizens of the state further to increase the area of nontaxable Indian lands. They say also that it is not consistent to allot Indians on the public domain when steps are taken to allot them on the reservation where conditions of soil and climate are similar. These arguments look plausible on their face; in the light of the law and the facts and the conditions in the Navaho country, there is really very little in them. In the first place, as heretofore shown, there remain less than 1000 unallotted Navaho Indians residing on the public domain. In the second place, the law entitles these Indians to allotments on the public domain and there

is no discretion in the government to deny them.

Furthermore, I am convinced from my personal observation, and from the irrefutable testimony of residents of the country that there is nothing whatever in the argument that the allotment of these Indians on the public domain is interfering with the bona fide settlement of white people. On the contrary, these lands are not desired by white homesteaders; indeed, it is impossible, in view of the climatic conditions there, for any family, white or Indian, to make a home in this country on the limited area provided under the existing homestead act. This law is an absolute misfit for conditions there, and I should not recommend the allotment of land under it to the Indians, except for the reason that the Indian is entitled to the same consideration that the white man is, and the only means under existing law for either to live is to take an allotment or homestead where it is possible to store water for domestic and stock purposes, or where nature has already made such provision in the way of small water holes, using the adjacent public domain to graze sufficient live stock to make a living for the family.

The real remedy for the Indian as well as the white man on the public domain in this arid country is an amendment to the Homestead Act which would permit the setting apart of areas, varying from 2,000 to 5,000 acres, laid out in grazing units large enough to maintain an average family, or, if that could not be done, a leasing law giving a preference right to each homesteader or allottee to the adjacent public domain for grazing purposes.

Until such legislation is enacted (and there will be continuous friction between the actual settler, Indian or white, and the large stockman until it is enacted) I see no other way than for the Indian

and the white man on equal terms to take homesteads and allotments wherever they have displayed the hardihood to make thier homes, fighting it out under such law as exists, for the free use of the open range on the public domain. Under the conditions that exist in this country, I have little hesitation in predicting that the Navaho Indian will hold his own in such a contest, pending a proper and permanent solution of it.

Local sentiment is not adverse to, but is in favor of the Indians. The Indians by efforts almost superhuman, store or divert flood waters sufficient to produce small patches of corn or alfalfa, and to water their sheep and goats and ponies and cattle. Their surplus products of all kinds are sold to the local traders and with the proceeds they buy groceries, provisions and clothing. Thus there is maintained in this desert country a simple sort of commerce and the civilization that goes with it.

The traders believe, and I am convinced they are right, that if the Indians were not occupying the public domain in this manner there would be no permanent settlement; that there would be retrogression instead of progress; that the cattlemen would graze the country with vast herds, and that the cowboys in charge of these herds would be small in number compared with the present Indian population and more nomadic; that the Indian homes, though crude at the present time, would not be replaced by the houses of white people; and that civilization would be retarded solely in the interests of the big cattle men whose property and homes often are in distant cities, and whose interests in the untrammelled use of the open range are adverse to a proper settlement and development of the country.

If the Navaho Indians living on the public domain were not making

beneficial use of the country, or if there were unused grazing lands within the boundaries of the Navaho reservation to which they could take their herds, the situation would be different. But it is an absolute and indisputable fact that these Indians are not only making use of the lands allotted to them, but they are using adjacent lands on the public domain and are leasing every acre of railroad or state lands they can lease and are willing and able to pay cash for such leases. And unless the present grazing grounds of these Indians are kept intact, instead of having a progressing self-supporting people as they are, the poorer among them will be crowded out and become charges on the government or on the state.

No criticism therefore can be made against the allotment of these Indians on the public domain, provided the Indians themselves are made to understand fully and thoroughly their rights under the treaty, the rights and privileges they will acquire, as well as the rights and privileges they will forfeit by receiving allotments on the public domain, and if full explanation is made to them of the exact requirements of the law with respect to residence and settlement thereon.

In asserting these views on the subject of public domain allotment for the Navaho, I do not want to be understood as agreeing with those who make personal criticism or impugn the motives of those representatives in Congress who take an opposite view. The Congressional delegation from Arizona and New Mexico represents a larger full blood Indian population than does the delegation from Oklahoma, and these two States have an area of untaxed Indians about equal to that of Oklahoma, with a much smaller population and much less taxable property to bear the expense of local and state government. There is foundation for their point of view, though I believe they sometimes

fail to place on the other side of the ledger the large appropriations of the government for schools and roads in their states and the large amount of taxable personal property owned by the Indians. Nevertheless the citizens of these states and their representatives in Washington are entitled to have first consideration given to their views with respect to the affairs of a people who now, and perhaps for all the future, will constitute a large part of the citizenship of their respective commonwealths. At the same time and for these very reasons, they ought to be moved by the broadest and most patriotic considerations to favor policies of dealing with these Indians which would contribute in the most effective manner to their highest and most permanent civilization and welfare. That a majority of the citizens of Arizona and New Mexico who are the immediate neighbors of the Navaho Indians and know them, take this broad view, I am convinced after my recent visit to the Navaho country, where I took pains to ascertain first hand the views of the citizens.

What many, if not most of these Indians now living on the public domain ~~whichxxxxxxxtheirxxxxxxx~~ will do if permitted to make free choice as between a home on the reservation and an allotment on the public domain, I already know; they will decide to stay on the public domain which has been their home since their release as prisoners of war. Last August I met about one hundred of these public domain Navaho at Manuelito, Ariz., and laid the whole question before them just as I have outlined it above. They contended at once that there was no grass for their stock on the reservation and that they wanted to live where their homes now are.

And this raises the question, is there room for all the Navaho on the reservation?

(P) IS THERE ROOM ON THE RESERVATION FOR ALL

THE NAVAHO?

This question needs little discussion. The answer is, "NO", not under present conditions of grazing and water development, or rather, lack of water development. It is of little use to theorize that so many acres of this country will graze so many head of stock, and therefore that this that or the other thing follows. The fact is that if it rains in a particular section at the right season there will be grass for the stock and some flood waters for irrigation or domestic storage; if it does not, then there is not grass enough grown on 100 acres in that section to pasture one sheep. Sometimes it rains and sometimes it does not. When I crossed the reservation last summer there were sections where there was not a spear of grass and two of the superintendents were advising the Indians accustomed to graze these areas in the winter to seal off a large portion of their flocks to prevent a heavy winter loss. The superintendents and traders and missionaries as well as the Indians are unanimous in the opinion that taken one year with another, there is insufficient grass on the reservation for the Indian stock now there. What further explanation need be made of the resolute determination of these pastoral people residing on the public domain to stick it out there at any hazard and to resist return to the reservation, even with the promise of fuller protection and a share in the great wealth of the tribe?

The future may, in all probability it will, materially change present conditions. It would not be surprising if the Department of Agriculture should find grasses and forage crops adapted to this arid climate which will materially increase the present capacity of the range. There is no doubt whatever that considerable grazing

acres now inaccessible to stock because of lack of water will be made accessible by additional water development. There are still greater possibilities through the improvement of the breeds of stock on the reservation; the Indians, many of them, have already made a beginning. With improved stock and more water and better grass there may be room on the present reservation sometime for more than all the unallotted Navaho Indians now on the public domain. But the conditions will have to change before the Indians will move voluntarily; and there is no right of law or morals in the government forcibly to move them.

(3) THE QUESTION OF THE RAILROAD LANDS WITHIN THE RESERVATION.

One of the most difficult problems of administration in connection with grazing on the Indian lands is due to the fact that the Santa Fe Railroad Company owns nearly a million acres of land in alternate sections for a distance of forty miles north of its right-of-way which extends far within the borders of the Navaho reservation. While about seventy-five per cent of the previous holdings of the railroad have already been exchanged for lieu lands on the public domain there is still much friction where the land is either leased or purchased by white stockmen owing to the scarcity of water and the lack of fences.

Steps should be taken immediately to complete the exchange of railroad lands for lieu lands on the public domain under the Act of April 4, 1911, or to purchase them. If Congress should be unwilling

as I believe it will be, to purchase these lands out of gratuity appropriations, then it should be asked to make appropriation for this purpose, to be reimbursed from the future sale of coal and timber on the reservation.

(4) THE QUESTION OF ALLOTMENTS TO NAVAHO INDIANS ON THE RESERVATION.

Just a word on the question of allotting Navaho on the reservation. In my judgment it is of the greatest importance vigorously to resist the allotment or diminution of the reservation lands as long as possible. This resistance should continue at least until more water is developed and existing law amended so that allotment, when made, may be made with respect to water possibilities, and in areas of grazing units adapted to the needs of each family.

Any plan of allotment is certain to result in a diminution of the area of the present reservation. Any diminution in their present land holdings, under existing conditions, will interfere with the ability of these people to continue to be self-supporting. The moment they are so restricted as to make self-support impossible some of them will become pauperized through the necessity that will be upon the government to contribute to their needs.

There are many other reasons why the Navaho reservation should not be allotted now. These Indians are making marked progress. The unsanitary winter hogan is being replaced by the neat stone house with fire place and windows; the horse cultivator is taking the place of the hoe, and regular rows are taking the place of the hit-and-miss hills of corn in the little corn patches; the herds of sheep are growing larger and the breed of the animals and quality of the wool being improved; more and more are the people learning the English

language and sending their children to school. Indeed the Navaho is proceeding along the path of higher civilization about as fast as he can safely travel. There must be caution lest by over-haste we jolt him from his present splendid status of progressive independence and self-support. Let him continue to buy and pay for his own stock; let him continue to develop water to irrigate his crops; let him follow his own standards of handling his individual personal property and advance gradually from his way of using community land to our system of private ownership and inheritance. These Indians now, following their own commercial customs, divide their resources fairly and equitably and with remarkably little friction. I do not know where you can find another group of 30,000 people, who, judged by their own standards, have a more religious regard for property rights; who violate less the law or the Ten Commandments; who indulge in less intemperance or vice than do the Navaho Indians. The government, therefore, should proceed slowly in pressing upon them the standards of white civilization.

Summarized in a word: (1) In the matter of allotment to the small number of Navaho still residing on the public domain, the Indians should be urged, after a full, frank and honest statement to them of the rights and restrictions contained in the laws and treaties to elect, after due deliberation, whether to apply for allotment on the public domain or whether to proceed, with the assistance of the superintendent, to find a home on the reservation. This action should be taken now. (2) Steps should be taken immediately toward the purchase or exchange of every acre of railroad

land within the boundaries of the reservation. (3) The^{present} allotment or diminution of the Navaho reservation should be vigorously resisted. If the large area of non-taxed Indian land should become a burden too large for the state to carry, the difficulty should be met by some equitable system of taxation so devised as to protect the Indian title; never by cutting down the Indian's lands so as to deprive him of a means of livelihood. (4) If the Navaho Indian is to be kept unspoiled, he must be kept dependent on his own efforts for his support; the government must be content to make haste slowly in forcing upon him the standards of the white man's civilization.

Foot note: The term "unallotted" as used includes only those who have not made selections of allotments and not those whose applications for allotments have been made but not yet approved. The estimates of 5000 to 9000 Navaho living on the public domain include also the Indians formerly living within Executive Order reservations which have been thrown open to settlement.

DEPARTMENT OF THE INTERIOR
OFFICE COMMISSIONER OF INDIAN AFFAIRS
WASHINGTON

C D M

NOV 12 1913

My dear Mr. Ayer:

I take pleasure in transmitting to you under separate cover a blue print of the map made by Father P. T. DeSmet in 1851, and presented to Colonel E. D. Mitchell.

With best wishes, I am,

Very truly yours,



Commissioner.

Hon. E. E. Ayer,
1515 Ry. Exchange Bldg.
Chicago, Ill.

Dear Mr. Sells:

I thank you most sincerely for yours of November 12th, and also for the map that has followed.

I have been making inquiries here, extensively, about the affairs of Menominee, and the only thing I lack now to go on with the work would be the names of the parties who have complained, as I would like to see them and find out their sources, etc.

I look back over my association with you and the Honorable Secretary, Mr. Sells, with the greatest pleasure, and I feel perfectly safe that whatever can be done to enhance the interests of the Indian, and to protect him, will be done with the greatest pleasure by both of you.

Very truly yours,

November 17, 1913.



John Cato Sells, Com'r Indian Affairs,
Washington, D. C.

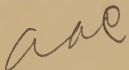
Dear Sir:

I have been requested by the Board of Indian Commissioners, and the Commissioner of Indian affairs, to look things over on the reservation and make a report. It seems there have been some charges made in regard to the institution and I would like to have a talk with you about it before I went up, if I could.

I have a good deal to do here, in a way, and if you could come down to Chicago and give me an interview I would like it very much. If you have no funds for travelling I would be very glad to purchase your transportation down and back.

If you will kindly telegraph me whether you can come or not, and when, I would like it very much.

Yours very truly,



November 18, 1913.

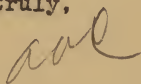
Mr. A.S. Nicholson,
Supt., Keshena Indian School,
Neopit, Wisconsin.

Dear Mr. Abbott:

I have yours of
November 15th, and contents noted.

I wish you would
try and get me a list of the
charges made against the Menominee
outfit, the nature of them, and
the names of the people if you
can; but in a general way what the
nature of the charges has been and
from how many sources.

Yours very truly,



November 18, 1913.

Mr. F. H. Abbott,
Room 28, Bureau of Mines,
Washington, D. C.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS.

Nov. 19, 1913.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Mr. Edward E. Ayer,
Railway Exchange Bldg.
Chicago, Ill.

Sir:

I have your letter of Nov. 18th, in reference to my visiting you about conditions on Menominee, and wired you today, as follows: "Could visit you on or about Dec. 1st, set date, I will come." I could have made this trip at once only that I have been absent from the Office for three weeks past and just got back in time to receive Dr. Dixon on his visit to the Indians, and have been busy for several days showing him around. Naturally my work is well piled up.

Without knowing what is on your mind the 1st of December would be the more agreeable to me *and perhaps you,* As to your proposed visit, the financial statement of the Mills will be ready on or about Dec. 10th, which I imagine will be a very necessary item for you to have.

Very respectfully,

A. Nicholson
Superintendent.

ASN/HVN

November 19th, 1913.

Mr. A. S. Nicholson,
Supt., Keshena Indian School,
Neopit, Wis.

Dear Sir:--

Received your telegram of today reading as follows: "Can visit you on or about December 1st; set date; I will come."

Will you kindly advise me what time on Monday December 1st you can be at my office, and if you cannot be here on that date, please advise nearest ^{date} ~~date~~ you can be here, and at what time.

Yours truly,

Edward E. Ayer

(Dictated E.E.A.)

WESTERN UNION TELEGRAM

THEO. N. VAIL, PRESIDENT

RECEIVED AT

231 CH AR 23. 1 EX GOVT.

Railway Exchange Bldg., Chicago.

Phone Wabash 4321 - Local 107

NEOPIT WIS NOV 19-1913.

EDWARD E AYER,

RAILWAY EXCHANGE BLDG CHICAGO ILLS.,

COULD VISIT YOU ON OR ABOUT DECEMBER FIRST SET DATE
I WILL COME.

as

NICHOLSON,

SUPT.

426PM

Dear Mr. Abbott:

Can you find out for me what advice the Indian office had in establishing the stumpage on the different timbers on the Menominee reservation, letter of February 5, 1912, I.O. File 102661-1911?

If you can get me this information I would like it very much. I am getting more or less information on this subject every day, Mr. Nicholson comes down and I have a talk with him December 1st, and I will after that go up personally.

Yours very truly,

Edward E. Ayer

Nov. 20, 1913.

Mr. F.H. Abbott, Secretary,
Board of Indian Com'rs,
Room 28, Bureau of Mines,
Washington, D.C.

Dear Mr. Abbott:

Major Goode, the gentleman who had charge of the Mescalero Apaches at Fort Sill for the War Department, was in the office this morning.

He is much concerned about the contract not being carried out for the Government for those that remain, and still more concerned about the efforts being made to turn the Mescalero Reservation in Arizona into a National Park, and the bill introduced May 2, 1912, by Senator Fall of New Mexico.

He claims that the five or six hundred Indians of the Mescalero tribe can be made self-sustaining, prosperous and intelligent if the reservation is left for their usage, that there is about 2500 acres that will be tillable land there, a good deal of grazing land in the reservation and a good deal of timber that can be used for this improvement.

He is very anxious that the whole Mescalero tribe should have cattle, claiming that the 180 who went back from Fort Sill are entitled to it from the fact that they were to be left there in as good condition as at Fort Sill and they have cattle there. The Government feels that it cannot supply that part of the reservation of Mescalero with cattle without allotting the same amount ~~to~~ those that remain, and they have no money for them. He thinks the money should be raised from the timber, or in some other way should be carried about.

I send you a copy of a letter that he wrote to the Indian office October 25th, 1913, also a copy of the Bill and a kind of treatise in regard to the whole matter. I wish you would give these documents to Father Ketcham so that Mr. Elliott and he can look this thing over and see how far they agree with the proposition in their trip to the West.

Yours very truly,

Nov. 20, 1913.

Mr. F. H. Abbott, Secretary,
Board of Indian Com'rs,
Room 28, Bureau of Mines,
Washington, D.C.

Edward Layton

Dear Sir:

When you asked me, In Washington, what the Indian Commission was good for I think I neglected to tell you what was, I think, the principal reason of its being brought into existence and one of the ways it can be most useful to the Indian Department, Secretary and President, and that is:

In the multitude of Indian Agents all over the Western states there has always been more or less derelicts, and the members of the Commission visiting the reservations at unexpected times has been more or less a check, and would have a good effect.

You also asked the Commission, in its interview with you, if we had any candidates for vacancies. I don't think it is the province of the Commission, or any member of it, to make any suggestions to you on the subject, but in answer to your question I will say if it was possible to have General Scott on the Commission he would be a very valuable member.

Yours very respectfully,

Edw. L. Dyer

Nov. 20, 1913.

To the Honorable,
Secretary Franklin K. Lane,
Department of the Interior,
Washington, D. C.

DEPARTMENT OF THE INTERIOR
OFFICE COMMISSIONER OF INDIAN AFFAIRS
WASHINGTON

November 20, 1913.

My dear Mr. Ayer:

After an interview with Mr. D. F. Tyrell, of Gillette, Wisconsin, yesterday, I requested him to write me a letter stating conditions as he understands them to exist at Menominee, and that he also leave with me certain photographs taken by him.

I received his letter today and am herewith enclosing same to you with the photographs, that you may have the benefit of his suggestions.

not enclosed

Mr. Tyrell seems to be a very earnest and intelligent man and I think it would be well for you to have an interview with him.

I wish you would advise me a few days in advance of the time when you start for Wisconsin, so that I can arrange for one of my men in the Forestry Service to accompany you, as you requested.

To the extent that I can be of service to you, please command me.

Very truly yours,

C. L. Kille
Commissioner.

Hon. E. E. Ayer,
Ry. Exchange Bldg.
Chicago, Ill.

(C O P Y)

Washington, D.C.

November 20, 1913.

Hon. Cato Sells,
Commissioner of Indian Affairs,
Washington, D.C.

My dear Sir:

Pursuant to request I herewith submit to you certain data, relative to the Menominee Indian matter.

I am not conversant with the conditions existing throughout the entire area covered by the logging operations on the reservation but that portion with which I am familiar bears ample and convincing evidence that the operations are ²⁴being conducted at a heavy loss to the tribe.

The work, seemingly, has been and is being carried on with little or no regard for profit. Waste is evident on all sides. (Note exhibits hereto attached and more specifically referred to herein).

Splendid timber has been cut and left to rot in the woods. (Note exhibits 1 & 2)

White pine and Norway logs, containing the very best of lumber, may be seen skidded in the woods and left to the mercy of the weather and worms and in this same area may also be seen other white pine and Norway logs that have been cut and swamped and not even skidded but simply left where cut.

Logging roads have been cut and splendid logs piled on each side of them and left. These roads were never used after being cut.


Large trees, both green and dead, have been left along the logging railroad notwithstanding the fact that they contained valuable lumber and stood only a few feet from the right of way.

In one place ties, posts and poles were scattered around. In another a large number of pieces of cedar had been cut and left in the woods.

I found that the white pine and Norway had been cut from a tract of burnt timber and at least $1\frac{1}{2}$ million feet of fine hemlock left to spoil. (Exhibits 10 and 11 give a view of this tract. Exhibit 11 also gives a view of the camp, known as old camp 12, I believe, which is located practically at the edge of this tract. The track ran between these camps and this tract and a portion of the right of way is shown by light streak at point marked "X". The dark streak in Exhibit 10 shows the same tract from another angle.)

White pine logs, scaling not less than 500 feet of the finest white pine lumber that ever grew in the State of Wisconsin, I found cut and left in the woods to be destroyed by the weather and worms. (See Exhibits 1 and 2).

In one small area I counted not less than 14 white pine logs, none of them less than 12 feet long and one of them at least 24 feet long and containing the cream of white pine lumber, that had been left in the woods. These logs will average not less than $2\frac{1}{2}$ feet at the small end. In this same area were two white pine trees, measuring not less than 70 feet from butt to first limb, or to be exact, 24 paces, that had been felled and left to decay. From these trees could have been cut the very finest quality of white



pine lumber. In this same area I found a piece of hewed timber, about 20 inches square and not less than 40 feet in length, or, to be exact, 14 paces, that had been left where hewed.

Please note, Mr. Commissioner, that these logs and trees just referred to were as good as any that ever ^{3/}grew in the State of Wisconsin or anywhere else. I cannot make ~~this~~ statement too strong.

I found large areas that had just been skimmed over, the best taken out and vast quantities of valuable timber, both dead and down as well as green and standing, left.

All of the timber that I have mentioned in this statement has been left to spoil as the track has been taken up and, if it is ever logged, it will be at a great expense and after it has become nothing more than cull timber.

A large burned over area, containing several million feet of valuable timber remains uncut and uncared for notwithstanding the fact that it was burned over several years ago. In the neglect to properly handle this tract, alone, the tribe has sustained an enormous loss.

In the manufacture of square timber the tribe is suffering a great and grievous loss. Only the best of timber is taken. Nothing but the largest and tallest trees are used and they must be perfectly round.

In the hewing many feet of the finest lumber is lost in the slabs taken off. I would estimate this loss to be not less than 200 feet to each piece, because the valuable timber left in

the tops which in many instances would bring the amount up to several hundred feet. (See Exhibit 3 showing slabs against tree). A future loss will result from the fact that the taking of this select timber leaves an inferior grade of timber which will not bring as much as it would were it sold in conjunction with this select stuff.

In one instance a watering trough had been hewed from a white pine log, at least thirty feet long, and worth in lumber, I should judge, not less than \$30.00. A trough could have been made from hemlock plank at a cost not to exceed \$2.50 and the horses would never have known the difference and the tribe would have saved \$25.00 or more.

Green lumber is being cut today while millions of feet of burnt timber is going to waste.

Valuable lumber is being thrown into the "hog", ground up and hauled out and dumped into the slough.

Valuable lumber has been dumped into this same slough and covered over with this ground up wood from the "hog". The places where this lumber has been buried can be pointed out. (Exhibits 6 and 7 give some idea of this waste).

A great deal of material from which considerable revenue could be realized has been and is being thrown into the "burner".

Exhibit 9 shows what is known as the "sink hole". Into this hole has been dumped some 300 carloads of gravel besides a large quantity of logs. Had the track been run but a few feet to one side it would have had high ground and this hole avoided.

Mr. Commissioner, I realize that I have made some very strong statements herein. I feel that it is up to me to prove them. I earnestly request that you give me an opportunity to do so. Kindly allow me to point out the things I have referred to. In fact I feel that it is quite possible that some of these items will not be located unless I do point them out. I would be pleased to meet any representative from your department at Shawano, Wisconsin, at any time, the sooner the better however, and go over this matter carefully with him. Thanking you for the opportunity to present these facts, I am,

Respectfully yours,

(SIGNED) D. F. TYRRELL

P. O. Address, Gillett, Wisconsin.

Mr. Commissioner, it has just occurred to me that I was informed by members of the tribe, sometime ago that they had commenced to dray in some of this timber that had been cut and left in woods. If such has been done it was at a great expense and after the timber had greatly deteriorated in quality and value and for the purpose only of getting it out of the way. If an inspection is made, before snow comes, evidences of this work, if any done, will be readily apparent.

(SIGNED)

D. F. TYRRELL.

(The following clipping from the Detroit Record of Friday, Nov. 21st, is being mailed to members of the Board at the request of Commissioner Moorehead.)

The following paragraph is quoted from his letter of Dec. 1st:

"This Detroit paper is run by a man named Hamilton, who was mixed up in a number of the deals. He has always been against me as have the other papers. I think that the action of Judge Long, during the two or three years he was at Detroit played an important part in affecting, adversely, the Government's position. Judge Long, in my humble opinion, should never have been sent to Detroit.")

"What is apparently the death-knell to several "fat" federal positions was sounded on Thursday last, when the United States Court of Appeals handed down a decision in the Chippewa Indian cases passed on several months ago by Judge Page Morris, of Duluth, wherein that jurist held that an Indian not having more than one-eighth white blood was legally a full-blood.

"The circuit court of appeals, in its decision, says:

"Every Chippewa Indian who has an identifiable mixture of other than Indian blood derived from ancestors who had other than Indian blood, is a mixed-blood Indian, and all others are full-blood Indians within the true meaning of the Act of Congress"

"The decision is sweeping and important beyond measure to this section of the state which has for several years been a battling with the Department of Justice for a speedy adjudication of the legal controversies which had arisen relative to the land investments on the reservation. The decision was not unexpected, either, for every precedent of the courts, of Congress, and of the rulings by the Interior Department and Bureau of Indian Affairs has been along similar lines, and apparently the Department of Justice under the Taft administration were the only ones who contended that a person could at the same time be a mixed-blood and a full-blood.

"It is generally admitted that this puts a quietus on the twelve hundred suits started by the Department of Justice during the past three years to recover titles to the lands which have been transferred by the Government to the Indians, and by the latter sold to investors and farmers. There is a possibility, however, that the Department of Justice may appeal from the decision to the United States Supreme Court, and thus furnish lucrative employment for a horde of lawyers (?) for the next six or eight years, but several well-informed attorneys

have expressed the opinion that the case is not an appealable one, and, if this is true, the decision is final and will effectually stop the extravagant expenditures of the Indians' funds under the flimsy pretext of affording them protection (?)

"Some of the most ridiculous and flagrant violations of common courtesy and the laws of both the ~~State~~ State and Nation have been perpetrated upon the people here by representatives of the Department of Justice, and apparently there was no adequate relief to be obtained. During the course of events two of the most egotistical wind-jammers ever seen in the North west - Dr. Warren K. Moorehead and Judge M. C. Burch - were given full opportunity to display their ignorance and the Twin City papers - notably the Minneapolis Journal - bit like a lot of fish (the sucker variety). What these men did not know about actual conditions in northern Minnesota and the Chippewa Indians would make untold volumes, but the Twin City papers published hundreds of columns of their "dope", even furnishing special reporters to gather the sensational story of the "fleecing of the noble red man." IT IS A NOTICEABLE FACT that not a single one of these papers carried a line of comment on the decision of the Circuit Court of Appeals; the Minneapolis Journal giving the matter a three-inch space in its news columns.

"As a sample of the wonderful acumen of the writers for the Pioneer-Press-Dispatch, at St. Paul, here is the title which appeared over the news item announcing the decision:

--o--

PART BREED INDIANS MADE FULL BLOODS

--o--

United States Circuit Court of Appeals Wipes
Out All Distinctions.

"What a joke! What a wonderful display of intellect and understanding of the subject! No wonder these papers - with their learned writers and large circulation - are so influential in creating public sentiment!

"Notwithstanding that the same decision now secured could have been obtained perhaps two years ago, and with a minimum amount of cost; the Department of Justice with its special "investigators", detectives, special agents, lawyers, stenographers, clerks, assistants, etc., have expended perhaps between \$50,000 and \$75,000, and thrown almost as much costs on the men who have honestly and earnestly invested their

money in these lands which had for centuries lain idle and unproductive. One test case to the federal courts would have decided every point involved, but the Department of (in) Justice, with a horde of attaches, have filed some over twelve hundred and, had it not been for a change of national administration, the subordinates of Judge M.C.Burch would no doubt still be employed in this (to them) welcome task.

"Major John R.Howard, agent at White Earth, in an interview at Fergus Falls the latter part of the past week, gave it as his opinion that if the late decision is allowed to stand, some 5,000 Indians in Minnesota will be pauperized. Without entering into the technical merits of Mr.Howard's statement - which is in keeping with the utterance of every person on the Government (Indian) payroll - we would like to ask the counter question of how the Indian can be pauperized any faster than is now being done by the hundreds of high-salaried "protectors" who are growing rich and fat from his (the Indian's) sustenance?

"Of course Mr.Howard wishes the Government's paternal policy perpetuated; he would be a very unfaithful employe were it not so, and he could hardly turn and bite the hand that has kept him in luxury and affluence for some years past. Mr.Howard also finds much food for thought and concern in the presumption that the pauperized Indians will become charges upon the counties of Becker, Mahanomen and other places where they now reside, and where they will be naturalized citizens under the promulgation of the Circuit Court's decision. While this fear and concern on Mr.Howard's part is no doubt commendable, yet he will not be affected by the fulfillment of his prophesy, for in so far as we are advised, he is not a taxpayer in any of the counties which may be affected by this dire crisis.

"The writer is not financially interested to the extent of one penny in the Indian land controversy, but he does now make believe - as he has believed for many years - that the Indians of North America should be emancipated and set free from the paternal policy of a Government whose ever-changing administrations have caused the Indian to deteriorate ever since he became susceptible to its influence. Let the Indian race - as has every other race in the world, work out its own salvation and in that way - and that way only, will we be able to secure the independent citizen which is now represented by the red men in the embryo.

"Even with the great cry of fraud, which has been raised by the high-salaried protectors and sensation mongers, the

statistic show that the Indian, dealing in the sale of his own belongings, has obtained more than fifty per cent of an increase of price for his property over the BEST RECORD ever established by the great White Father at Washington. These are figures which cannot be disputed, and before the Government can show a better stewardship, it cannot, with good faith, insist on absorbing the Indian's sustenance in maintaining a protectorate that DOES NOT protect.

"The question is one fraught with much importance, we will admit, but it will never be successfully solved by the policy which has been pursued for the past half century by the National Government of this country, which is gradually eliminating the Indian by its guardianship, instead of allowing him to be assimilated into the white race, and thus become self-supporting."

Chicago. November 21st, 1913.

Mr. A. S. Nicholson, Superintendent,
Menominee Indian Mills,
Neopit, Wisconsin.

Dear Sir:

I acknowledge receipt of your favor of
the 19th, and also your telegram saying you would
be here December 1st at 9 a.m.

Yours very truly,

Edw E Ayer

Dear Mr. Nicholson:

I find it will be possible for
me to leave Chicago Friday morning for Neopit.
There will be four of us in the party, and perhaps
five. I wish you would kindly secure accomodations
for us at the hotel, and oblige.

Yours very truly,

Edw. C. Ayer

Chicago.
November 24, 1913.

Mr. A. S. Nicholson, Supt.,
Menominee Indian Mills,
Neopit, Wisconsin.

Nov 24/13

Dear Mr. Sells:

I have yours of November 20th, including the letter from Dr. D. F. Tirrell; also the photographs. Be assured that I will go into this thing carefully, upon my arrival at the Reservation.

I have written Dr. Tirrell and asked him the years that the timber he speaks of was cut, as he does not give them in his letter to you. I don't think any of you want any more information than you have got on the early start of this plant, but I will try and get you anything I can find for the last two years and make some suggestions, if I feel that I can suggest anything that will be better than they are already doing.

I wish, in the man you send, you would try and send me a practical man who is capable of instructing me on the reforestation and present methods of cutting timber.

I shall leave here Friday morning, accompanied by the Secretary & Treasurer of my company, who is an expert bookkeeper, whom I shall take along simply to see if he has any suggestions to make whereby the records can be improved; also my stenographer and the General Superintendent of our company, whom I calculate to send into the woods with the Superintendent there and examine the last two years' cutting and see if there has been anything left, or anything done that ought not to have been done. We will leave Friday morning and should arrive at the plant Friday night. If you will have your men join us here or there I will thank you very much.

Yours very truly,

Edw. E. Ayer

Honorable Cato Sells,
Commissioner, Indian Affairs,
Washington, D. C.

Dear Mr. Tirrell:

I received from Commissioner Sells a copy of your letter to him of November 20th. I notice that you do not give the years that this timber was out: can you do so?

An investigating committee of Senators in 1909-10 went thoroughly into all details of log chopping, etc. relating to the timber and if the timber you speak of was left before that date of course I don't care to go into it, as the Senate Committee did very thoroughly, but anything that has occurred since that time in this line I would like information on very much.

I leave Chicago Friday morning for the plant, with a forester sent by Mr. Sells, and two or three people out of my own institutions, to look the thing over. Can you meet us, say, Monday morning, at Neopit?

Yours very truly,

Edw E. Taylor

Chicago.
November 24, 1913.

Mr. D. F. Tirrell,
Gillette, Wisconsin.

Dear Mr. Abbott:

I send you a carbon copy of a letter written to Mr. Sells, which will give you an idea of what I calculate to do at the Menominee reservation. I have read the entire report of the investigation by the Senate Committee of 1909, and it will give me a great deal of valuable information.

Yours very truly,

Edw E Ayer

Chicago.
November 24, 1913.

Mr. F. H. Abbott, Secretary,
Board of Indian Commissioners,
Room 28, Bureau of Mines,
Washington, D. C.

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SEND the following message subject to the terms
on back hereof, which are hereby agreed to }

November 25th, 1913.

Cato Sells,

Commissioner, Indian Affairs,

Washington, D.C.

I will arrive Neopit Friday. Have your forester there at that
time if possible

Edward M. Ayer

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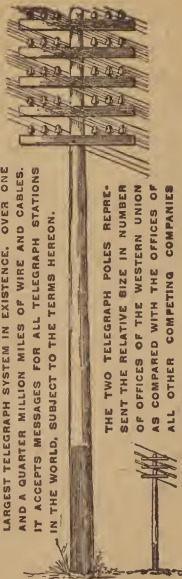
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THE SECRETARY OF THE INTERIOR
WASHINGTON

November 26, 1913.

Dear Mr. Ayer:

Secretary Lane has received your letter of November 20th and in reply wishes me to advise you that he will certainly bear in mind your suggestion with regard to the possibility of having General Scott on the Commission. The Secretary hopes that you will feel free to write him at any time concerning your views or experience touching Indian matters.

Cordially yours,


Private Secretary.

Edward E. Ayer, Esq.,
Railway Exchange Bldg.,
Chicago, Illinois.

Room 28, Bureau of Mines,

November 29, 1913.

TO MEMBERS BOARD OF INDIAN COMMISSIONERS:

The following items will be of interest:

The threatened Navaho war appears to have been averted.

General Scott accompanied by Major Mc Laughlin, Father and others met the hostile Indians at Noel's trading store near Beautiful Mountain where the hostile Indians were encamped and thirty miles from Shiprock and secure an agreement that the eleven offenders would be surrendered to the civil authorities and stand trial. All but two of the eleven are reported to have surrendered and the two remaining out, who were on a hunting trip, it is reported, will surrender upon their return.

~~XXXXXX~~ The Circuit Court of Appeals has overruled the decision of the lower court which held that a mixed blood Indian must have at least one-eighth Indian blood and holds that all Indians not full bloods are mixed bloods. This decision, if sustained, will throw out of court hundreds of the White Earth fraud cases. Mr. Daniels of the Department of Justice who is handling these cases reports to the Indian Office that an appeal will be taken to the Supreme Court.

F.M.Abbott, Secretary.

Check ark
Extra Copies

Report of Mr. Edward E. Ayer's interview with Mr. PETER LOOKAROUND, storekeeper, at Menominee Indian Reservation, Neopit, Wisconsin, November 29, 1913.

Mr. Lookaround is a graduate of Haskell University, and one of the two leading merchants of Neopit.

Mr. Ayer: Q. Are you satisfied with the conditions around here?

Mr. Lookaround. A. Yes sir.

Q. You think these are honest people who have charge here and that they are making an honest effort to do the best they possible can?

A. Yes, under the conditions. I think Mr. Nicholson is about the best we ever had.

Q. You think this man, Mr. Nicholson, does what he can to employ all the Indians he can?

A. Yes sir.

Q. Have you had any experience in other lumber yards or lumber schemes besides this one here?

A. Well, I used to work a little in the woods.

Q. But not in the manufacturing of lumber?

A. No.

Q. Do you think that they are succeeding in doing the logging in the woods properly?

A. I think they are: of course it costs more money now.

Q. Of course, but that will be best in the long run, and aren't you in harmony with this method of doing it? You know if it succeeds it will be a great benefit to the Indians in the long run?

A. In the long run, yes.

Mr. Ayer: Q. There seems to be a body of Indians in your reservation that are very much dissatisfied with the way things are being done.

Mr. Lookaround. A. Well, these are always the same ones that are dissatisfied -- no matter who we had for our Agent, and there seems to be a half breed at the head of this who is making complaints and he is telling them, you know, that they ought to have their money and that these people here of the Forest Department are squandering the money, and so the people are beginning to think the same way.

Q. But you are satisfied that the Department is doing the best it can?

A. Yes.

Q. You are satisfied that since Mr. Nicholson came here there has been a large improvement in the conditions of the mill and the prosperity of the tribe?

Lookaround. A. Yes. A man here must have executive ability, he must settle family matters and deal with the liquor question, and I think Mr. Nicholson has done well.

Mr. Ayer: Q. And you, and the class of Indians that you represent, feel that the Agency has been well managed, as well as the Mill?

Lookaround. A. Yes.

Q. Now then, what percentage of the 1700 Indians on this reservation feel as you do?

A. I could not say.

Q. Well is this feeling that has been worked up pretty wide spread?

A. Yes; of course when they feel they can't get any money they are all against the Agent; they feel that if they can't get any money it is being spent here. You can't tell them that this mill is making money because they won't believe it. They will say, "We don't get anything."

Q. Is there a special committee organized here of five or six men who are trying to oppose the running of the Mill?

A. I think so.

Q. Do you think this "opposition" would be glad to have the mill closed up and the logs sold?

A. Yes.

Q. Aren't you perfectly satisfied that if these logs were put on the market as they used to be you would fall into the same difficulties in getting low prices that you did before?

A. In the old way the Indians used to get work for only 3 or 4 months in the winter, but now if the Indian wants to work he can go to work any time the whole year round. You will find records in the office that a few Indians have worked every month in the year.

Mr. Ayer: Q. What is it that the Indians are trying to do by employing attorneys. What is the necessity?

Lookaround. A. Well, it's the same thing,- about getting their money.

Q. Are they trying to force the Government to pay back some money or to get the money out of the Government's hands? Does a large proportion of the Indians think the Government ought to pay back the money lost in the "down" lumber?

A. No.

Q. But the "opposition" does want the Government to surrender the million or two and divide it up amongst the members of the tribe?

Lookaround. A. Yes, and these "blow downs" are telling the Indians the Government held back some of the money, and they are going around and saying to these Indians, "We want to employ an attorney for the benefit of both of us," telling the Indians they should have the same attorney as the white man.

Mr. Ayer: Q. Do many white men come on the place and agitate them and find fault with the mill? Are the people around the reservation and those people all the time trying to make trouble and do away with the mill?

Lookaround. A. Yes.

Q. What is it your impression that the effect would be if they succeeded in stopping the mill and having a change in administration? Would it be injurious?

A. I think it would, because we have so much money invested.

Q. Do you think that you can preserve the timber for the next fifty years, that will come off this reservation, better, by having a mill, than without one?

A. Yes sir.

Report of Mr. Edward E. Ayer's interview with Mr. C. A. TURTLEHEAD; storekeeper, at Menominee Indian Reservation, Neopit, Wisconsin, November 29th, 1913.

Mr. Ayer: Q. Are you a full blooded Indian?
Turtlehead. A. No.

Q. You have known this Agent, Mr. Nicholson, since he has been here?

A. Yes sir.

Q. Do you think he has made an effort to be fair and square in his dealings with the Indians?

A. Yes, as far as I know, he has.

Q. Now there seems to be a feeling amongst some of the tribe that the mill ought to be abolished. They don't think it is making money,- although the reports show it has been making money. Do you think it would be better to sell your logs than it would to saw them?

A. Well, of course we were laying up money right along then.

Q. Do you think these people are using economy in sawing the timber and disposing of it?

A. Well, I think in disposing of it they are, but of course there is lots of timber that has been sawed here that doesn't amount to much. There have been miscuts and a lot of it spoiled by the saw.

Mr. Ayer: Q. Are you familiar with the ordinary percentage of miscuts in the mills in Wisconsin, or only this one?

Turtlehead. A. Yes, only this one.

Q. Do you think that for the last three years the logs have been properly taken care of?

A. I haven't been in the woods and don't know.

Q. There seems to be some Indians here who are very much dissatisfied with the administration as carried on here; they are against the mill and against the Agent and his work. What percentage of this tribe feel that way, do you think, about him?

A. I don't think the percentage is very big.

Q. About 5%, say?

A. I don't think that much.

Q. Is that percentage who are usually against the Agent here the industrious hard working Indians?

A. No, they are not.

Q. Are they amongst the class who try to get an easy living and are not usually found on the pay roll of the mill?

A. Not very much. (Meaning they are not found very much on the pay roll of the mill).

Interview with Mr. C. A. Turtlehead - page 2.

Mr. Ayer: Q. Do you think that these men who are finding fault and are not the working men of the tribe could manage this affair better than the Agency is managing it?

Turtlehead. A. No, I don't think so.

Q. And you would not be satisfied to have the management of the mill in the tribe?

A. This man who is here seems to be a pretty good, straight sort of a fellow, and I think he could do as well as anybody else would.

Q. You think this man employs all the Indians that he has a place for?

A. Yes, I think any Indian that wants work he can find a place for.

Report of Mr. Edward E. Ayer's interview with Mr. JOE GRISTO, policeman, at Menominee Indian Reservation, Neopit, Wisconsin, November 29, 1913.

Mr. Ayer:
Gristo.

Q. You are a policemen here, are you not?
A. Yes sir.

Q. Are you a Menominee Indian?
A. Yes.

Q. How long have you been here, Mr. Gristo?
A. I have been here, I think it is eight years.

Q. Are you familiar with the lumber yards and the logging and everything pertaining to the carrying on of the Menominee Indian Reservation?
A. No.

Q. Are you familiar with the lumber yards down in Oconto, or anywhere else?
A. Well, I was raised in Marinette, but of course I never worked in the mills.

Q. Then you are not familiar with the way the lumber yards are kept at Marinette and Menominee?
A. Yes, I have been in there.

Q. Well, how do you think this compares with theM?
A. Well, I have never seen anything lying around in other yards. It is generally picked up. Of course, here there is a good deal lying around, as anyone can see for himself. Of course, though, they clean it up every once in a while.

Q. Do they clean it up say, once or twice a year?
A. Oh yes; maybe once a month for all I know.

Q. Do you get your wood from the plant?
A. Yes.

Q. What condition is the wood in? slabs, sawed up 16-inches long and not split?
A. Yes.

Mr. Ayer:
Gristo.

Q. What do they charge you for that, delivered at your house?
A. \$2.00 a load, about two cords.

Q. That makes about a dollar a cord. How much would it cost you to go around the yard and get the broken pieces and get them to your house and have it sawed up?
A. Well, I don't think I could get it cheaper. It would take a long time to pick it up and I would have to get a team.

Q. Do you think any of the Indians who have families can always get it at \$1.00 a cord, delivered?
A. Yes.

Interview with Mr. Joe Gristo - page 2.

Mr. Ayer: Q. I notice there are some Indians who are dissatisfied with the working of the plant and the whole conditions ?

Gristo. A. Well, the way I understand it, they are.

Q. Are these men working for the company?

A. They had been working right along,- but I guess they lost their jobs.

Q. Do you know for what reason?

A. Well, not exactly. Once in a while some of them come and tell me the trouble, but I never took any trouble to keep it in my head.

Q. Do you know how many Menominees are working in the woods, etc?

A. No sir.

Q. Isn't it the usual thing that the Indians are usually given a job if they are good workers?

A. Well,--- yes.

Q. What percentage of the tribe do you think is dissatisfied?

A. Well, as far as I know, most of them are not satisfied and only a few are.

Q. Well, what do they want instead of what they have got?

A. Well, I don't know what they want.

Q. Have they any better scheme?

A. They claim they have.

Q. Are they the hard working men that devote their time to work who think they can do better, or are they the men outside, who don't work? Do they want to do away with the mill?

A. No; I think the idea is that the mill ought to be making money, instead of running behind every year.

Mr. Ayer: Q. But, is it a fact that they are running behind? Where do they get that idea?

Gristo. A. Well I don't know; these are the reports I hear.

Q. Well, do you know whether these reports are true or not?

A. I couldn't say.

Q. Who has been telling these men that the mill has been running behind?

A. I couldn't say.

Q. ~~Winkler~~ Well, don't they know they can come to the Agent and find out exactly how the mill is run? Has it not always been that any Indian can come in and examine the books any time?

A. Yes;- although I don't know whether they ever did or not.

Mr. Ayer: Q. Well then the only reason they are dissatisfied is that they think this mill is losing money every year?

Gristo. A. Yes.

Q. Well, do you think they would be satisfied if they could be informed that this mill is making money every year?

A. I don't know how they would feel about that.

Q. Have any of their attorneys, or the outside people, told them that the mill is losing money?

A. I couldn't say, only every once in a while they get wind that the mill is losing money.

Q. Don't you think it would be the proper thing to do to have your men go to the office and examine the books?

A. Why sure.

Q. And don't you think that if the men knew that the last two years the mill had added to the funds at Washington \$444,000 they would have been more satisfied with the management?

A. Why sure,- if they had known it.

Q. You are convinced that if the Indians knew the mill was making money they would be satisfied?

A. Yes sir.

Report of Mr. Edward E. Ayer's interview with Mr. THOMAS PRICKETT, one of the Committee appointed by the tribe, at Menominee Indian Reservation, Neopit, Wisconsin, December 1, 1913.

- Mr. Ayer: Q. How long have you been connected with this plant?
- Prickett. A. Ever since it was built.
- Q. Are you now working?
- A. No; not for the last two years.
- Q. Are you an Indian?
- A. Yes; not a full blood, but I am a member of the Menominee tribe.
- Q. Now, in a few words, tell me what is the matter. What do you suggest as the remedy?
- A. The log superintendent here was not competent to run our plant, that is Mr. Woodcock, who left here some time this Spring or summer.
- Q. Was he discharged?
- A. No; he resigned last Spring.
- Q. Who is in his place now?
- A. Brigham.
- Q. Have you had any experience with him?
- A. From all accounts, since he has been here he has attended to his business and I know he is trying to save money for the tribe. He is a gentleman. Now if Mr. Woodcock got money for us we would all help him.
- Q. You are familiar with other loggings, in other sections of the country? Have you logged for private concerns?
- A. I worked at Merrill, Wisconsin.
- Q. Is the lumbering done here on this reservation the last two years satisfactory?
- A. No sir, it is not.
- Q. In what respect was the logging under Mr. Woodcock bad?
- A. When a man is superintendent of three or four camps he has no business in this office all the week. They hired men with no experience of sawing logs that would make good lumber. (Here Mr. Prickett detailed an instance supposed to bear out this statement).

At this point Mr. Ayer explained to Mr. Prickett how the plant had added to the funds at Washington, during the past two years, \$444,000; that there had undoubtedly been mistakes made in the woods and about the mill and that our present duty here was to find out how important they were. Also that Mr. Ayer's expert had reported that the accounts were in good shape.

Interview with Mr. Thomas Prickett - page 2.

Mr. Ayer: Q. What is this attorney employed by you Indians for?

Mr. Prickett. A. Well now, we Indians can come up here to Mr. Nicholson but cannot get information; but Mr. Tirrell can come up here to Mr. Nicholson and he knows what we Indians want and can find out from Mr. Nicholson.

Q. Don't you think the yard here today is in good, satisfactory, condition?

A. Yes; everything is clean.

Q. Are the lumbering camps kept clean.

A. I think they are.

Q. You would be perfectly satisfied with Mr. Nicholson if they are making good money here?

A. Yes sir; perfectly satisfied.

Report of Mr. Edward B. Ayer'd interview with Mr. LOUIS LAFRAMBOIS,
at Menominee Indian Reservation, Neopit, Wisconsin, December 1, 1913.

- Mr. Ayer: Q. I have come up here and I find a great deal of dissatisfaction. Now what's the matter with you?
- LaFrambois. A. Mr. Ayer, I came here a few months before Mr. Nicholson. At one time there was an Engineer here, who was discharged. This Indian who was discharged wanted me to write Senator LaFollette, and in my letter I told the Senator that some of the people here were well capable of being camp foremen. I told him I was also a good fireman, that I could go into any plant as a good scientific fireman.
- Here Mr. LaFrambois presented a copy of Mr. Nicholson's report against him.
- Q. I want to find out what you know about this place. You have worked around here for three years?
- A. Yes.
- Q. Have you worked in other mills?
- A. Yes sir.
- Q. Are you familiar with the conditions in other mills, with the dirt around the mills etc? How does this compare in cleanliness around the town, in the camps, in the planing mill, around the yard, in the warehouse etc. with other mills?
- A. I have been here since the lumber began to be piled and it was never clean until this Fall.
- Q. Do you consider the breakage around here excessive,
- A. Yes, I do.
- Q. Now, around the mills and the supply department, isn't it as clean as you usually find?
- A. Yes sir; they are in good shape.
- Q. Do you know how many Indians have been employed here during the past year?
- A. No.
- Q. 271 have been employed permanently by the mill every day of the year, on the average. Don't you think this was a good portion of the 480 able bodied men in the tribe?
- A. They could have got more. We have had men here who were as good carriage riders as white men, but they could not see any prospect of advancement and so they quit.
- Q. What were they getting?
- A. \$2.25 a day.
- Q. Do you think it was wise for them to throw up a job when they were getting this salary? \$60 a month?
- A. Well, Mr. Ayer, carriage riding is very hard work and when they saw they could not be advanced they simply quit and went at other work.

Mr. Ayer: Q. Have you any other grievance yourself, personally?
LaFrambois. A. No. My grievance is that I am a good fireman and have had a lot of experience.

Q. Well, did you ever quit a job because they would not make you an Engineer?

A. No, I did not.

Q. And still you think these men who quit had a grievance? Don't you know that this is a business proposition here, that they have to make this mill pay?

A. Mr. Ayer, when I came here my ambition was to become an Engineer, but I feel that I never could. I wanted to be, in my old age, an Engineer and take care of everything. I know I could learn these things, but I never get a chance. My future is going to look just as black as the blackest depths of Hell just as long as I stay here and there is no change. My wife likes this place here, but if this man stays here I am going to break up my happy home and go away.

Q. How many children have you?

A. I have seven children.

Here Mr. Ayer advised LaFrambois not to carry out his intention, to alter his point of view, telling him never to quit a job until he had another, and never to refuse a job.

LaFrambois: I have been a woodsman for twenty years and yet a man comes here for twenty minutes and tells me I don't know anything about it.

And I want you to put this down too, that I have been a citizen of the United States and voting for 21 years!

Report of Mr. Edward E. Ayer's interview with Mr. CHARLES W. CHICKENEY,
at Menominee Indian Reservation, Neopit, Wisconsin, November 29, 1913.

Mr. Ayer:
Chickeney.

Q. You are a Menominee Indian, of course,
A. Yes sir.

Q. Mr. Chickeney, how long have you worked here for
the plant?

A. Two years in June.

Q. What is your position?

A. I am what they call "Reatil Salesman."

Q. You are familiar with the way the lumber is
piled in the yard and kept?

A. Yes sir.

Q. Are you familiar with the way it is piled in other
lumber yards?

A. No, I am not.

Q. There seems to be several men here who are much
opposed to this whole scheme. Are those men usually
the laboring, hard working men for the mill, or are
they the people who do not work much?

A. Well, I know of two who do not work at all, who
have been kicking.

Q. Well, how do they get their living?

A. I am sorry to say you will have to tell me before
I can tell you.

Q. Is it the general impression here that the mill
is making money, or losing money?

A. That I could not tell you.

Q. Well, have you heard that the plant is losing
money?

A. Yes.

Q. Have they ever made any effort to come to the
office to find out if they have been losing money?

A. Not that I know of.

Q. You are satisfied that they could if they wanted
to?

A. Well, whenever I have come to Nicholson with
reference to anything I have always got what I wanted.

Q. How many men do you think are opposed to this
saw mill, and the other things.

A. That I could not tell.

Mr. Ayer:
Chickeney.

Q. Well, there are not a great many are there?- would
it be 5%, or perhaps 10%?

A. Yes, I think probably 10%.

Mr. Ayer: Q. Don't you think if these men would take the opportunity of coming and getting the information at this mill, and it was demonstrated that this mill was making money, that they would feel different about it?

Chickeney: A. I think they would; yes.

Q. Is the yard in good condition, as far as cleanliness is concerned?

A. Well, as far as I know, it is. Of course, business hasn't been very good and everything is piled up,- there are not many of what they call "outs."

Q. You are not familiar with the logging in the woods, are you?

A. No, I don't know what is going on there.

Q. Don't you think it would be a good plan, in the interests of your tribe, for two or three of you, who are satisfied and connected with the plant, to get two or three of the leading men in what we may call the "opposition" to come with you,- say the two merchants and you, and invite two or three men,- to come up here and get an exact statement of how much money this mill has made or lost in the last three years?

A. Why yes, indeed I do.

Mr. Ayer: Q. Well now, these books are kept, as I understand it, by government men under government employ. Every dollar of money that comes in is credited to the Government and every dollar paid out is charged to the Government. Now you can readily find out in this office whether you take in more money during the year than you expent, and if you can find that in the three years they have taken in more money than they have expended then you know exactly whether you are making money or not, and I would suggest that you do this. As a business man, I don't believe that any man would want to say that these books are fraudulently kept. So I think it would be a good scheme to get up a committee of that kind and come and find out, so you can tell your tribe exactly how things are. And I shall suggest that at the end of each year there be a little slip printed and given to each member of this tribe, telling them exactly what the outcome of this business has been,- whether it is a loss or a gain.

Chickeney: I think the reason the tribe are dissatisfied is that the annuity is decreasing every year.

Mr. Ayer: That I don't know anything about. Only I do know, from the books of this office, that there have been several hundred thousand dollars added to your credit in Washington in the last three years; so that it isn't true that this mill has decreased your annuity.

Chickeney. Well, that is the impression of the tribe,-
that this mill is to blame for it.

Mr. Ayer: Q. Now, you know that if you sell your logs you
have only three months' work a year and you are up
against the great lumber companies here. Some of
them have been robbing you from time immemorial.
Now do you want to go back to that,

Chickeney. A. Why no.

Q. How many men of these agitators are there in
the tribe who don't work, who still live and have
money? You said you knew of two of this bunch
here.

A. They are the only two I know of.

Q. Have they any income from property?

A. Not to my knowledge.

Q. They have their annuity,- \$60.00 a year, but
they can't live on that, can they? Have they
families?

A. Why, one has.

Q. And still he never works?

A. I don't know how it is, but he never works any.

Mr. Ayer: I am going to recommend that one or two young
men be put through the College of Agriculture at
Madison by the tribe, who will come back and be
able to teach you how to raise the best cattle, pigs,
horses,- everything the best type instead of the
poorest.

Chickeney. Well, Mr. Ayer, I want to say this. No matter
what they do at the mills here, or in the woods; no
matter how the funds are, we must have something to
eat, something to put on our back, and it depends,
whether we go back to degradation or rise to the
position of citizenship, on our knowledge and adapt-
ability for agriculture; and I am thoroughly in accord
with your recommendation in regard to starting us right.

Report of Mr. Edward E. Ayer's interview with Mr. T. J. TURNERY, sawyer, at Menominee Indian Reservation, Neopit, Wisconsin, November 30th, 1913.

Mr. Turney was presented to Mr. Ayer by Mr. D. F. Tirrell, an attorney, and was interviewed in the presence of Mr. Tyrrell.

Mr. Ayer: Q. Are you working at the mill now?

Mr. Turney. A. No; I am in the woods now. I used to be the head sawyer until the 4th of October.

Mr. Ayer: Q. Mr. Turney, I wish you would outline, in a general way, what you think is the trouble around here.

Mr. Turney. A. The principal trouble has been with the mill, that there has been nobody looking after it. We would try our best to get anything that went wrong in the mill fixed, but without success. Now, one time our lubricator went wrong and I called the millwright's attention to it, but at 10:45 they went out to dinner without replying. I found Mr. Adams then and told him my trouble, but still nothing was done between that time and noon, and so I cut only 500 and I should have cut somewhere from eight to nine thousand.

A. Another thing that has been wrong is the resaw. A resaw is supposed to cut rough stock. Now, the way this one is fixed it splits in the centre. You have to take off the slab and the 2-inch board and the 2-inch plank. They have been experimenting with this resaw ever since I have been here, and I guess they always will be.

Mr. Ayer: Q. Now, in regard to this resaw, and this breaking down, how long have you sawed in this mill?

Mr. Turney. A. Four years the later part of this winter.

Q. Has this occurred before, that is, the break downs not attended to promptly?

A. Yes. And the entire force of millwrights, after 10:45, do not pretend to do anything: they get ready to go to dinner. The proper way is to go at 11:00 and leave the mill running alone until they get back again.

Q. What time do they return?

A. Well, they generally go down to the blacksmith shop and sit around until the 12 o'clock whistle blows, and then they go into the mill.

Q. Then between 11 and 12 there are not any millwrights in the mill?

A. No.

Mr. Turney.

Last Fall when they shut down the lumber was being spoiled. Mr. Adams sent to Prescott's to get a man to fix the set works. So we got a man down here to repair them. When he came he found that Mr. Adams had removed what he considered the king pin of the set works, what he calls the cushion. Mr. Adams told me to go with this man and watch him to see that the set works were fixed. A fellow stayed here about four days and all he had to do was to put back on what they had taken off.

Mr. Ayer:
Turney.

Q. Did they then work alright?

A. Yes.

Q. How long had they been running badly?

A. A full season,- a year.

Mr. Turney.

Just before we shut down for the 4th of July Mr. Adams notified me that the sawyers would not do any repairing. So consequently we kept away from the mill for ten days, and when we came back we found the carriage in the most ridiculous shape and consequently we couldn't move a truck on the carriage. Well, after we got the carriage adjusted we found the head blocks were $1\frac{1}{2}$ inches away from the saws. The dogs here have never been taken care of. One would get bent and they would come out and bend it back cold, which would make it like a letter S. Mr. Adams let this go eight days one time before this was fixed at all.

It would be safe to say that 60% of the last two plank went on the slabs to the slasher, and whether they were cut for lathe or went to the burner I don't know.

Mr. Turney.

To go back to the resaw. This can do nothing but split in the center. Now if we had a bill for 3x5s, 3x8s or 3x12s, this resaw is supposed to cut up anything from 14-inches down, but you cannot cut 3-inch.

Mr. Ayer.

That is the fault of the type of resaw that they have.

Mr. Turney.

No. It is the fault of the remodeling that Mr. Adams did.

Supplementary Report of Mr. J. P. Kinney, Supervisor of Forests,
in the employ of U. S. Government, dated December 16th, 1913.

Answering Mr. Edward E. Ayer's question in
letter of December 8th, 1913, "What percentage of the
merchantable timber left in the woods in the last three
years will still be able to be taken to the mill?"

December 16, 1913.

My dear Mr. Ayer:

Your letter of December 8th was forwarded
to me from Washington and received yesterday.

The total amount of logs left in the woods
at Neopit during the past three years, which came to my
attention, would not exceed 100,000 feet. I should say
that at least two-thirds of this timber can be brought to
the mill so as to realize a profit upon it. Thus the
actual amount of these logs that cannot profitably be
saved will be 25,000 to 30,000 feet board measure.

There were doubtless some logs left which I
did not see, but as we covered a large part of the operations
of the last three years, and traveled over large areas where
all logs were picked up at the time of the original logging;
I feel that we saw nearly all of the waste.

The amount of fire killed hemlock left
standing which will not be logged this year and which could
have been handled at an advantage from the camps previously
established would not in my judgment exceed 250,000 feet.

Respectfully,

J. P. Kinney,
Supervisor of Forests.

Hon. E. E. Ayer,
Chicago, Ill.

Neopit, Wisc. January 7, 1914.

Hon. Edward E. Ayer,

Chicago, Ill.

Dear Sir:

One of my friends told me, a short time ago, that he asked Thomas Prickett how Tyrrell was getting along at Washington and that Prickett told him that Mr. Tyrrell stood very high above all others in Washington, D. C.

And yesterday I had a talk with another member of the tribe who stands close to Prickett. I asked him what promises Tyrrell was making to the Indians as to what he could do for them, and he told me that Tyrrell was trying to get annuities for the Menominees and that he was also endeavoring to have an investigation made of Neopit affairs. That last Friday or Saturday Louis LaFrombois received a letter from Mr. Tyrrell stating that the Assistant Commissioner was favoring him. That the Commissioner of Indian Affairs was out west at Present and that when he returned he was going to take up Menominee matters, that he was coming here to make an investigation.

That it made no difference what Mr. Ayer or anybody else reported, that the Commissioner of Indian Affairs was going to make the investigation in person and that he was going to the bottom of the whole business.

Yours truly,

(Signed) Mitchell Oshkenaniow.

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GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
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DEPARTMENT OF THE INTERIOR

BOARD OF INDIAN COMMISSIONERS

BUREAU OF MINES BUILDING

WASHINGTON

C O P Y

Washington, D. C. Dec. 31, 1913.

F. H. Abbott, Secretary,
Board of Indian Commissioners,
Washington, D. C.

My dear Mr. Abbott:

AS per request I am returning to you the statement pertaining to the Board of Indian Commissioners. I am of an entirely different mood relative to this Board of Indian Commissioners than I was when you saw me. I at that time thought that this Board of Indian Commissioners was of some service, and Mr. Smiley and you gave me that impression. You also told me that Mr. Ayer, who was sent to make an investigation of the milling operations at Neopit, Wis., was sent there to make a bona fide honest investigation of the milling operations. From the testimony that he has been gathering at that place, and from the acts that he has done over there, I have lost absolutely all confidence in his investigation and I think the investigation is absolutely a farce. I think it is an investigation to white wash Nicholson of any complaints that may be made against him.

I am sending you a sample copy of some of the testimony that this man has taken, from which it clearly appears that he is not making an investigation of the business operations at Neopit, but is prying into extraneous matters, belittling the complaints and complainants. I want to ask you whether or not in your opinion you think that such an examination has anything whatever to do with business operations at Neopit. This little bit of testimony will convince any man that this man Ayer instead of being there to investigate matters for the benefit of the Indians is there to pry into the complaints made and belittle them as much as possible.

Very truly yours,

(Signed) Thomas F. Kenop.

J.H.

Report of Mr. Edward E. Ayer's interview with Mr. CHARLES FRESCHETT,
at Menominee Indian Reservation, Neopit, Wisconsin, November 30th,
1913.

Mr. Freschett was accompanied by Mr.
Frank Gauthier, Mr. Mose Tucker and three
other Indians.

Mr. Freschett presented a document
which showed, as he understood it, that
pine timber had been sold for \$57.00 in the
log. Mr. Ayer explained that his under-
standing was incorrect, demonstrating that
the timber referred to had been sold for
for \$70.00 on the stump
~~\$70.00 on one occasion and for \$75.00 on~~
~~all other occasions, in the log.~~

The remainder of this meeting was taken
up by a discussion as to the profits of the
mill; Mr. Ayer showing how \$444,000 had been
added to the tribal funds at Washington,
from the profits of the mill during the past
two years; the total amount of the funds at
Washington, etc.

1

SOME NEEDS OF INDIAN IRRIGATION.

(Address by F. H. Abbott, Secretary,
Board of Indian Commissioners, be-
fore Washington Society of Engi-
neers, on December 2, 1913.)

In order that you may not be victims of misplaced confidence, I confess at the start, though with regret, that I do not know a single thing about engineering. I have always felt the most profound respect for your profession; I believe it contributes to the permanent happiness and material welfare of more members of civilized society than any other; as an outsider and a layman, therefore, I feel honored by an invitation to meet with you and I appreciate very greatly the opportunity and privilege of laying before you some of the legal economic and administrative phases of Indian irrigation. Ignorance of the science of engineering ordinarily would be a sufficient excuse for my refusing to accept an invitation to occupy a part of your valuable time on this program, and I assure you that I should not have accepted such an invitation if I were not profoundly convinced that there are other phases of the problem of irrigation on Indian reservations worthy your earnest consideration as engineers.

The principal irrigation troubles on the public domain, under reclamation projects, as well as on Indian reservations, are not engineering troubles. Secretary Lane, in a speech before the recent Conservation Congress, stated the case well when he said that

upon the whole the irrigation projects in the West could not be criticised from an engineering standpoint; that the projects were a credit to the engineers of the Government service; but, that the great need was the working out of plans that would enable men and women to establish homes and prosper under the projects constructed; and, he suggested the establishment of some system of farm credits as a means of enabling settlers to reclaim and make beneficial use of their lands; in short, he emphasized development, instead of engineering, as the great irrigation problem of the future. (In passing, I cannot refrain from observing that the country is to be congratulated upon having, in the great office of the Secretary of the Interior, a man whose heart throbs in sympathy with that fine, wholesome class of citizens, who are striving to establish themselves in homes on land in the great arid and semi-arid West, whose mind is capable of comprehending their needs, and who has the courage to obey his heart and his mind).

It is not necessary to produce argument to show why irrigation engineers should be primarily interested in the development and utilization of lands under irrigation projects, and in helping to work out the legal economic and administrative problems associated with such development and utilization. Has not the Reclamation Service, or, if you please, have not the engineers of the Reclamation

Service been blamed by the public for every failure of settlers to reclaim land under the Reclamation Act, in spite of the fact that such failures have been due almost always, not to defects in engineering, but either to inadaptability of the law to local conditions, or to the inability of the settler to secure the commercial credit necessary to make economic use of his land? Who, better than the irrigation engineer, knows the difficulties besetting the inexperienced man who attempts to reclaim lands under an irrigation ditch? Who, therefore, is better qualified than the irrigation engineer to help work out plans of administration and legislation that will make proper development possible? I think it is not too much to say that in the future there will be opportunity for the irrigation engineer to follow his profession and do his part as an engineer in developing possibilities for permanent homes for men and women in the undeveloped West just in proportion as he helps to work out a practical and commonsense program which will permit economic development and use of irrigation ditches to proceed hand in hand with the construction thereof.

That Indian reservations in the future will offer a large field for the energies of the engineer is evident from the fact that there are one million and a half acres of irrigable lands on Indian reservations not yet irrigated, while millions

of acres outside these reservations will have to depend for their water supply, upon rivers that either rise in or flow through, such reservations. Indeed, I believe it is within reason, to say that the bulk of the problems of the future in this country that have to do with irrigation will be connected, directly or indirectly, with Indian reservations.

It is my purpose, however, to confine my remarks to the immediate needs, legislative and administrative, of lands on Indian reservations owned and occupied by Indians. Approximately 625,000 acres of Indian lands have been brought under ditch. Of this area approximately 200,000 acres only, are under cultivation, while less than 100,000 acres are cultivated by Indians; and, of the amount credited to Indian cultivation, a very considerable portion is merely watered to grow crops of hay and is not under intensive cultivation. The first appropriation made by Congress for Indian irrigation was in 1869 for the Indians of the Colorado River reservation. Following this, appropriations were made also for the Navaho. Since that time \$9,000,000, approximately, have been appropriated for irrigation purposes on Indian reservations, by far the greater part of this amount having been appropriated during the last ten years. For example, in 1903, only \$18²,800 was appropriated, as compared with \$1,137,722.62 in 1913, ten years later.

It should be observed that before these appropriations, and even before the expedition of Coronado, the Indians of the Southwest had irrigation ditches and were following simple methods of agriculture. These Indians, speaking generally, still understand irrigation and wherever they have water, use it beneficially. What I shall say later about the immediate needs of Indian irrigation, therefore, relates chiefly to the Indians of the great Northwest.

The rapidity of growth of Indian irrigation is equalled only by its complexity and the lack of uniformity in law and administrative method in dealing with the subject. As the matter stands today Indian irrigation law is a sort of Pandora's Box, in which you can find most anything you want except the one thing that ought to be found in connection with each project, namely, construction and maintenance charged against the lands benefited. You can find, in the case of a large majority of the reservations, that construction has been paid for out of reimbursable appropriations of Congress, reimbursement to be from sale of tribal lands; in many cases you will find tribal funds charged with maintenance and operation costs; in many others, you will find no provision whatever made for maintenance. In the case of a large number of projects, especially the smaller projects in Southern California, Arizona and New Mexico, you will find construction, as well as maintenance and

operation costs, paid out of gratuity appropriations by Congress; in some, and these are few but worthy of note, you will find that while the original construction has been done in part or in whole at the expense of the Government or out of tribal funds, the Indians themselves are maintaining, extending and operating the projects. In the case of one large reservation, Fort Hall, Idaho, construction was done out of tribal funds; and maintenance, operation and repairs are kept up from gratuity appropriations. In the case of the Flat Head reservation, Montana, where the construction is being done by the Reclamation Service, construction and maintenance are free to the individual Indian as long as he owns the land, the costs being paid out of tribal funds; if the land is sold to white men, however, a pro-rata charge for construction and maintenance is made against it and this charge has to be paid before title passes to the purchaser. In the case of the Yakima reservation, Washington, where an insignificant area, comparatively, is farmed by Indians, 4800 acres out of a total of 50,000 acres under ditch, a plan is being worked out to charge maintenance and operation against the land of the individual, the original cost of construction having been paid from tribal funds. On the Klamath reservation the law provides that irrigation construction shall be paid out of tribal funds, but the individual allottee, whose land is not irrigated by the project so constructed, is entitled to his pro-rata share of

the irrigation benefits in some other form, such as in issue of stock cattle. Other variations in law and administrative method could be cited.

But, in all of these varied provisions of law affecting different Indian reservations there is not a single instance where the construction and maintenance charges are made against the individual land benefited. The nearest approach to a recognition of this principle is found in the case of the Yuma reservation where it is provided that: "In the event any allottee, shall receive a patent in fee to an allotment of land irrigated under this project, before the United States shall have been wholly reimbursed as herein provided, then the proportionate cost of the project to be apportioned equally by the Secretary of the Interior shall become a first lien on such allotment"(36 Stat. L., Pg.1063, Act of March 3, 1911) and also in the case of the Gila River reservation in Arizona, where there is a similar provision of law. (37 Stat. L., Pg.522, Act of August 24, 1912). That is, notwithstanding the fact that the Reclamation Act recognizes the fundamental correctness of taxing the reclamation costs against the land benefited and, notwithstanding the fact that the Government for many years has been advocating the individualization of Indian property as a means of training the Indian to meet the responsibilities of citizenship,

when it has come to the question of irrigation, this principle has not been fully applied in a single case.

There is another condition worthy of special mention. On most reservations in the Northwest, where large appropriations have been made for irrigation out of Indian funds, such for example as Flat Head, Fort Peck, Blackfeet and Crow, no appropriations whatever from these same funds were made to enable the Indians to buy plows, scrapers, teams, seeds and equipment necessary to subdue and cultivate their lands, while in nearly every case there was not a dollar to the credit of the individual members of the tribe or any means of credit available to them for this purpose. Particularly in the case of Blackfeet and Fort Peck a large part of the construction work was completed before the Indians' allotments were approved and available to sell in part to enable them to improve the remaining portion held by them. This condition, bad as it is, however, is not so bad as it is on several other reservations. At Fort Hall, in Idaho; Uintah, in Utah; and Shoshoni, in Wyoming, not only were tribal funds used for the construction of expensive irrigation projects, \$800,000 at Fort Hall; \$600,000 at Uintah and over \$600,000 at Shoshoni, without at the same time, making any provision to enable the Indians to reclaim the lands under ditch, but at least in the case of Uintah and Fort Hall

provision was made that the Indians, deprived as they were of any means to reclaim their lands should, notwithstanding, reclaim them in accordance with state law, which required beneficial use of the water within a limited time in order to protect the water right. The result is that on the Fort Hall reservation, where there are 50,000 acres, under ditches constructed with Indian funds at a cost of nearly one million dollars, the Indians are actually farming only 3,300 acres and have only until 1916 to make beneficial use of the water for the remaining 47,000 acres. On Uintah reservation, where 98,400 acres have been brought under ditch at an expense of \$600,000, the Indians have reclaimed only 6,000 acres and have, under state law, until 1919 to make beneficial use of the remainder. (A recent judgment in the Court of Claims for \$3,000,000 in which these Indians' share will enable them to buy equipment and if they are supplied with skilled irrigation farmers to assist them they may succeed in reclaiming most of their lands.) On the Shoshoni reservation in Wyoming, where nearly 66,000 acres have been brought under ditch with tribal funds, at a cost of over \$600,000, beneficial use must be made under state law before 1916. Failure to make such beneficial use in the case of these three large reservations means a clean loss of a large part of the investment in irrigation ditches, of two millions of

dollars of tribal funds. On the Crow reservation, where irrigation construction was begun twenty years ago, and where 86,756 acres have been brought under ditch, the Indians are farming only 11,376 acres, and much of this is producing only grass, while ditches constructed on this reservation at a cost of over one million dollars are large^{ly} unused and many thousands of dollars of tribal funds will be required to reconstruct them and make them available for use.

What are the remedies for these conditions?

These I shall only take time to suggest briefly. The first need, in my judgment, is a harmonization, so far as possible, of laws relating to the irrigation of Indian lands; the principle of charging construction and maintenance costs against the land or funds of the individual instead of the tribal fund should be adopted and the individual members of the tribes brought to a realization, not only of the value of water rights in connection with their individual lands, but to a sense of personal responsibility in paying for the maintenance of their ditches out of the products of the land, leaving their shares in the tribal funds intact, for use by them in the purchase of live stock or equipment for their economic betterment. A realization of their responsibilities in this direction would be greatly promoted, in my judgment, by the

organization, among the Indians where lands are under ditch of Water Users' Associations, similar in plan to the Water Users' Association in the white communities. Only in this way will they be educated to the point where it will be safe to issue to them patents in fee for their land and otherwise remove restrictions from them and extend to them the privileges of full citizenship. Such recognition by the Government, of the right of the Indian to a voice in the management of his own property would be appreciated by him and inspire in him self-respect and self-dependence.

A second remedy is in supplying reimbursable appropriations to enable Indians, for whom irrigation ditches are built, to develop the land under ditch. This means of credit, a kind of credit already recognized by Congress in previous appropriation bills, will take the place of the farm credit plan, suggested by Secretary Lane for white farmers under the reclamation projects. In cases where ditches have already been constructed out of tribal funds, it perhaps will be impracticable as well as unnecessary to charge construction against the land of the individual, but in such cases the maintenance and operation costs from now on should be charged against the individual and collected from any funds to his credit, or against his land, collection to be provided for under suitable regulations. In the case of future appropriations

for new work where construction is to be done out of tribal funds, the charges should be made pro-rata against the shares of the individuals in the tribal fund and not against the whole fund, in order that the individual will realize just how much his water rights are costing him; and provision should be made similar to that referred to in the case of the Yuma and Gila River reservations so that when a patent in fee is issued to the Indian or where the land passes from the original Indian owner, the charges for construction and maintenance, whether paid out of tribal funds or gratuity appropriations, may be reimbursed.

There is, not only no reason why the Government should pay a single dollar gratuitously for bringing water to Indian land, and much less reason why a tribe of Indians should sustain such a charge on behalf of individual members thereof, but there is, on the other hand, every reason, in the name of sound education and sound training for the responsibilities of citizenship, why, in the future, Indian irrigation should be made a charge against the land of the individual and the individual made to account therefor, and given a voice in the management thereof. It is the plain duty of the Government, however, as a matter of proper education and civilization to provide, at its own expense, irrigation farmers, to instruct the Indians in irrigation where necessary.

After pointing out these conditions of Indian irrigation, which need remedy, I would be neither fair nor just if I did not say that, in my judgment these conditions are neither an evidence of bad administration, nor of wrong motives on the part of Congress. Irrigation is comparatively new; laws differ in different states; conditions differ on different Indian reservations; legislation has been enacted hastily in most cases and in response to a perfectly rational and proper demand for development of undeveloped resources; the economic needs of the Indian were not always understood, and were generally lost sight of in the desire to get his land under ditch. In the work of ditch construction, the one subject that seems to have been thought of, to the exclusion of all thought of providing means for cultivation and utilization of the lands under ditch, the Irrigation Branch of the Indian Service has been most efficient, the average acre cost of Indian reclamation being the remarkably small sum of approximately \$16. Special credit is also due to Mr. W. M. Read, present Chief Inspector of the Indian Irrigation Service, who is to follow me tonight, for the work he is doing in the way of working out uniform cost keeping methods in the irrigation field service and to his efforts, supported by the Commissioner of Indian Affairs, to secure evidence to protect the water rights of Indians under those

projects where the state law applies.

At the same time mention should be made of the hundreds of Indian farmers, who are irrigating their allotments and raising crops that equal, and often excel, crops raised by white farmers in the neighborhood. I want to emphasize this statement because the failure of a greater utilization of lands under Indian ditches, in my judgment, has been due more largely to the defects of legislation and administration, which I have pointed out, than to the Indians themselves.

I hope, in this somewhat disconnected discussion, I may have said something that will enlist the interest of engineers in a problem, the proper solution of which will mean, not only the making of, "two blades of grass grow, where one has grown before", on more than a million acres of now arid land, but the establishment of happy and prosperous homes for thousands of families, Indian and White, where no homes are possible without a policy of reclamation, which, while solving the problems of engineering construction, will also solve the greater problems of development and utilization of the lands reclaimed.

The Board of Indian Commissioners, which I have the honor to represent, as Secretary, is working earnestly and without pay in a patriotic effort to help Secretary Lane and Commissioner Sells of the Indian Office, who are working just as earnestly and

patriotically, to solve these and other problems connected with Indian administration.

Chicago. December 31, 1913.

Dear Mr. Wyeskesit:

As a slight token of my appreciation of having met and had so nice a talk with you, I sent you yesterday a red blanket. May it keep your body as warm as the remembrance of meeting you is in my heart.

Every man who has imperiled his life for his Government should have the warmest place in the affections of all his neighbors and friends: this I am sure you have.

Another thing I want to especially congratulate you on is your dear wife. I was told by many that she was your equal in every way. A man who can go through life, as you and I have, with beautiful characters for wives, is to be envied.

You may be very sure, my dear friend, that if ever I come to the Reservation again, one of my first pleasures will be to visit you at your home and I shall always have, as I

Mr. Wyeskesit

page two

Dec. 3, 1913.

said before, the warmest place in my heart for
you and yours.

Your Friend,

SSA

To
Mr. Wyeskesit,
Menominee Indian Reservation,
Neepit, Wisconsin.

Chicago. December 3d, 1913.

Dear Mr. Wyeskesit:

As a slight token of my appreciation of having met and had so nice a talk with you, I sent you yesterday a red blanket. May it keep your body as warm as the remembrance of meeting you is in my heart.

Every man who has imperiled his life for his Government should have the warmest place in the affections of all his neighbors and friends: this I am sure you have.

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Mr. Wyeskesit

page two

Dec. 3, 1913.

said before, the warmest place in my heart for
you and yours.

Your Friend,

To
Mr. Wyeskesit,
Menominee Indian Reservation,
Neopit, Wisconsin.

Dear Mrs. Nicholson:

I send you today, by express, a sled for your dear boy, a doll for your sweet daughter and another one for her sweet friend, Mrs. Brigham's little daughter. I also send two boxes of candy: I wish you would give one to Mrs. Brigham: and a red blanket that I would like to have your husband send to the grand old patriarch, Wyeskosit.

Mr. Anderson is writing this letter; Mr. Smith is also at the desk and I am sure Mr. Holland would join us if he was here in trying to express to you our appreciation of the charming hospitality of yourself and husband, and Mrs. and Mr. Brigham and the others that we came in contact with at your charming place. It certainly was something that we will all remember as long as we live, and we earnestly hope that any of you coming to Chicago will let us know.

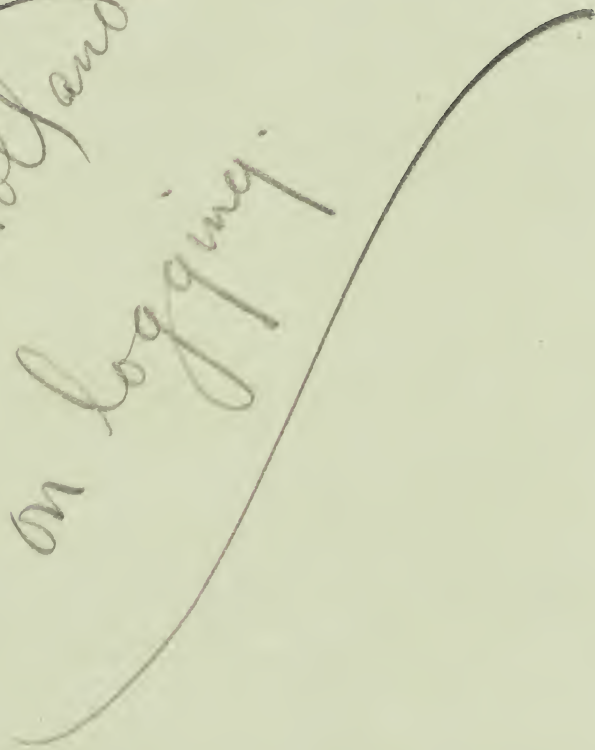
Very sincerely yours,

Dec. 2, 1913.

Mrs. A. S. Nicholson,
Neopit, Wisconsin.

P.S. We also send another package, two boxes of candy, for the especial use of yourself and Mrs. Brigham.

L. D. Holland's report
on logging.



5 pages
600
AYER & LORD TIE Co.
INCORPORATED
RAILWAY EXCHANGE BUILDING
CHICAGO.

JOHN B. LORD, PRESIDENT & MANAGER.
EDWARD E. AYER, VICE PRESIDENT.
PHILIP R. SMITH, SECRETARY & TREASURER.

PADUCAH OFFICE
CITY NATIONAL BANK BLDG.

PADUCAH, KY., Dec. 4, 1913.

Hon. Edward E. Ayer,
Indian Commissioner,
Chicago, Ill.

Dear Sir,

I herewith hand you my report on three days' investigation beginning November 28th 1913, of work being done on the Menominee and Stockbridge Indian Reservation at and near Neopit Wisconsin.

On the 28th of November, I looked over and inspected carefully the mill yard. I found, according to my judgment, based on nineteen years' experience in the tie and lumber business, the most efficient work, both in manufacture and care of stock, that I have ever seen on any mill yard large or small. The management of this part of the work has certainly been first class.

Beginning on the 29th of November, in company with Mr. Terrell as an attorney for some eight or ten Indians who were also along, with several other parties, I began the inspection of the cutting and logging on the Reservation--following the direction of Mr. Terrell. I was first shown a square timber 38 ft. long, 24 inches in diameter, No. 187. Mr. Terrell claimed a loss to the tribe on account of the slabs hewn from this timber, there being some very small slabs taken off. I could not see the loss to the tribe as this timber had been measured and sold and the tribe had credit.

The next complaint was about some logs decked about 400 feet from the railroad. Mr. Terrell claimed a loss to the tribe on

account of sledding and re-decking along the track, When told by E. J. Brigham, who has charge of the logging, that they would be loaded as they were sledded and would not be redecked, Mr. Terrell said this would not be done. When asked "Why"?, he stated that he would show where redecking had been done before, but he failed to do this, and later admitted that he could not.

I was next shown five white pine logs, sap-stained, which he claimed should have been barked. I consider the damage to these very slight, as they were right on the railroad and will be taken to mill right away.

Again, Mr. Terrell claimed that the stumps were cut too high. At this particular point, the stumps were rotten and hollow, and I consider that there was no loss, but at some other places, the stumps were cut too high, but the per cent of sound stumps cut high was very small. Mr. Terrell also complained about a log that had been left from the butt of a tree. This log was about 30 inches in diameter at the small end; was hollow from end to end---large enough for a man to crawl through. This was demonstrated by a man crawling through the log from end to end. This complaint, in my judgment, was absurd, as it surely would have been a loss to the tribe to have made the expense of hauling and sawing timber of this kind. 2

Mr. Terrell's complaint at Camp 15 was that logs had been cut for wood that would have made good lumber. These logs were from a tree that must have been dead at least ten years---in my judgment worthless to the tribe except for wood. In discussing these logs, Mr. Terrell made the assertion that any white pine lumber that would hold together was worth \$16.00 per thousand. This shows how reckless he was in making statements. He showed some logs that had been

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peeled. These were tops from trees cut for export. These, I think, were in good condition and not damaged. Mr. Terrell would say, if logs had not been peeled, that they should have been peeled to preserve them; but if they were peeled, he calimed they were damaged by worms.

He showed several ^{logs} all scattered on the last year's work in the swamp, that were left on account of the Breaking up of cold weather. This territory is still in operation and can be cleaned up this winter. Logs in good condition.

Mr. Terrell next showed two trees, fourteen logs and one square timber that he claims should have been loaded, but the track was removed. These logs were near a new cutting and could be taken up. I could not figure out any loss here.

From this point, we passed through a long strip of burned-over land, an old cutting. In this strip, the timber was nearly all dead. We were shown several logs cut, and quite a lot of standing timber of the cheaper grades. This was cut over about two years ago, following the fire, and the management claims they cut the white pine and left the hemlock on account of the pine being much more valuable and much more important to save before it damaged.

On November 30th we were almost exclusively on old cuttings of two years past, and over. Complaint was made about logs being cut for lumber being used in making fills for the railroad and streamers for bridges for wagon roads, and skidways left where the track was taken up and removed, and some logs left scatter^{ed}/over this old territory. These claims seemed to be more reasonable and it looked as though there had been some careless work done by someone, but much of this is a question as to whether the tribe suffered any loss, as the time spent in getting ~~dirty~~ dirt or worthless timber might

have equalled the cost of putting the timber in bridges and fills.

Mr. Terrell made a charge against the management, for charging Tom Labelle, an Indian, \$36.00 for the use of camps belonging to the tribe, while working out a contract on a certain boundary on which he was to cut and deliver the timber at \$6.00 per thousand. I fail to see any loss to the tribe in this, but had they furnished a camp free, as Terrell said they should have done, it would have been a loss to the tribe.

Mr. Terrell showed a cut through the hill about four and one half feet deep, about six hundred feet long. He claimed they had a track around this hill and took it up when the cut was made. Mr. Nicholson says this cut was made ³/₄ as the pass-way for the loaded and empty cars and both tracks were used at the same time and the cut was made to get on solid ground for the loaded cars, on account of the ground being soft and swampy where the track went around the hill, which seems to be a good business proposition instead of a waste. Complaint was also made at this point, about 110 ties being left that had been used in a jam-dock.. These were inferior ties in the beginning and had been used in the track before being put in the dock.

He also claimed a loss to the tribe by the management, on account of small trees being cut for skids on which to fall the large trees cut for export. Mr. Nicholson says this timber was all measured and paid for, therefore could not be a loss to the tribe.

Mr. Terrell showed some timber near old Camp 12 that he said should have been cut. This was burned-over-land, and, in my judgment, could not be worked at a profit. He showed about 4,000 cedar logs cut about two years ago--also some poles cut by Paul Teboe an Indian. These logs were in a ~~swamp~~ and were left on account of

the breaking up of the ice. They are in good condition and Mr. Brigham says they will be taken out this winter.

Mr. Terrell said to me that he had grown up in the lumber business in Wisconsin, yet he showed ignorance in a surprising way, to me, by miscalling the kinds of timber several different times. He would call hemlock white pine, and he did this on several occasions.

I have gone over this matter at considerable length, to give you as nearly as possible the character of the claims and charges made by Mr. Terrell, and the disposition of this man to magnify his charges. I could give other instances but think these sufficient. After carefully going over the situation, I will say that I have never seen or known a job run by anyone, where there was as little loss in timber as on this one, and especially is this true of the last two years' cutting. While there are some logs and timber left on the old cutting, in my judgment, the per cent is much smaller than is common where I have worked.

Yours very truly,

L. P. Hollander

LPH-L

Superintendent.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS.

Dec. 4th, 1913.

WHITE PINE
NORWAY PINE
RED WOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Hon. Edw. E. Ayer,
Chicago, Ill.

Dear Mr. Ayer:-

For your information, last evening about six P.M.

Mitchell Askenaniew came to my house and desired an interview which I gave. His story was about as follows. He and Mr. Tyrell had a quarrell. It seems Oshkenaniew who is head and front of stirring up present trouble spoke disparagingly of Mr. Tyrell's ability on the showing he made. Tyrell accused him of working against him and of commencing to stir up felling against his securing a contract with the tribe. Hot owrds passed. A Division ensued between the Indians with much feeling for and against. In course of his remarks Oshkenaniew said that Louis Lafrombois had mortgaged his house in Marinette for \$200.00 which money was sent to a Mr. Ballinger, an attorney in Washington to secure his interest in having an investigation made. He intimated that in mean time efforts were to be made here to create feeling and get up any evidence they could. Mr. Ballinger is connected with Mr. Tyrell.

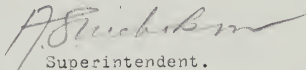
Last night and for several nights meetings were held to take up a collection to pay Mr. Tyrell, about \$150.00 was collected and Oshkenaniew says paid to this man.

He says also that Tyrell was trying to get a contract with tribe 4000 - yearly and double that amount if successful. I

told Oshkenaniew plainly that he came to me too late, that I had known for some time the interests that lay behind the attacks and the purpose desired. That I was not interested in his statement if he had any to make, and was undergoing any change of heart, he could write to you and I gave him your address. "Where rogues fall out just men get their dues." I could have showed you wherein every man connected with these complaints, have been caught by me in crooked transactions and been disciplined. Yes ^{even} ~~every~~ jobs put up by them in hope that employees here would fall. That is the hopes of these kind, that they can get rid of any one who will not work their way. If I were to start at the head of the list, I could go down the line, and find each one an utterly unprincipled character, who has been caught redhanded and the evidence in the office.

Pardon me for bothering you, but I thought you might like to know of this development.

Sincerely yours,


Superintendent.

ASN-TMF.

P.S. An example of the pity of this whole thing and how it rebounds against the interest of the Indian in actual money loss, wages and all considered. ²

Mr. Lafrombois who paid the above mentioned money has just been to the office and asked to have no deduction for house payment, supplies, etc. taken from his wages this month as he says child is very ill and he wants to use money to consult specialist outside. He had but very little wages coming due to fact that he was not working but spending his time running around.

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Such situations as this are always the case, the poor Indian is induced to part with his money on any pretext, then when the emergency arises, he has nothing.

Sincerely yours,

H. B. C.
Superintendent.

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Neopit, Wis. Dec. 3, 1913.

Hon Edward C. Ayer,
Railway Exchange Bldg.
Chicago, Ill.

Dear Sir:

I wish to write to you in connection with D.F. Tyrell an attorney whom you have met when you were here. You have had a long interview with him in the office at Neopit, and no doubt you may have formed your opinion of this man by the way he talked and his ~~demeanor~~ towards you.

I met this man three times during the past year. I saw him once

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before on the Train in 1909 and that was the first time I ever met him. I did not know what kind of a man he was until yesterday.

He sent word to me at my home, in the afternoon, that he wanted to see me at the hotel, where he was stopping at Neopit. I went there and when I entered the house I saw several Indians sitting in the room and he was the central figure.

He then told me certain things which indicated that he was displeased because he had been informed that I was working against him.

I did not like the way he




Talked to me in presence of the Indians, so I asked him for a private interview. We then went into a room by ourselves and I asked him for an explanation and it only resulted in a quarrel between I and him. He told me what he thought of me and I did the same.


On the morning of December 2nd I was at the same hotel where Tyrrell was stopping. Two Indians were getting ready to go in the woods to look over the timber, and before they went, Tyrrell was giving them instructions what to do there.

I find that many of these Indians actually believe Tyrrell is a great lawyer and that he can accomplish much good for the Menominee Indians. Thomas Prickett, an adopted member of the Menominees, has been working hard to create such a feeling among the members of the tribe.

Tyrrell is very active at present evidently for the purpose of getting the good will of the tribe. I understand he is trying to get a contract from the Menominee Indians, to employ him as their attorney, at an annual salary of \$4000 per annum.



Members of the Tribe told me that in compliance with Tyrrell's request they had collected \$150 in cash for him, a short time ago, before he went to Washington, D.C. After² his interview with you in the office at Neopit, Monday morning December 1st, 1913, the Indians said that Tyrrell told one of them that he had convinced you that he was right. When this ^{news} went around the Indians felt glad. And as a result, I hear, the Indians are going to collect some more money to send Tyrrell again to Washington, D.C.



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I do not desire to say anything against any other attorney who may be associated with him along this line, but as regards Tyrrell, it is my impression now, that he is not the right kind of a person to have anything to do with the Menominee Indians, and his connection with them ought to be severed at once for the good of the tribe.

yours truly.

Mitchell Oshkenaniew,

P.S. This letter is confidential.

M.O.

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Chicago. December 6, 1913.

Mr. Mitchell Oshkenaniew,

Neopit, Wisconsin.

Dear Sir:

I have your confidential letter of December 3d, and contents noted. I thank you very much for your confidence and for the news you have given me.

I am surprised at what you tell me, from the fact that Mr. Tirrell told me explicitly that he had never received one dollar from an Indian or anybody else for any work he had done for the Indians. And he certainly has no right to tell the Indians that he had convinced me that he was right. He never convinced me of anything in connection with his affairs at the Reservation only that he was trying to stir up trouble and had very little practical knowledge of the business connected with logging and manufacturing lumber. It was an absolute misstatement to say he had convinced me: how could I agree with him, since I never had been with him in the woods at all?

I received a letter from the Commissioner of Indian affairs before I went to Neopit, inclosing some of the charges that Mr. Tirrell was making against the operations there, and the Indian Commissioner only said that he thought it would be a good thing for me to give Mr. Tirrell an interview. Simply giving him an interview would have carried out the wishes of the Indian Commissioner, as stated in his letter to me. Now you all know what I really did do; I had him with us in the yard, sent him and his force out into the woods to give him every opportunity to make what effect he could, and treated him with a good deal more consideration than he was entitled to, not being the attorney, (as he claimed he was not, but hoped to be) of the Menominee Indians.

Mr. Mitchell Oshkenaniew -2-

12-6-1913.

I told all of you the recommendations I was going to make to the government in regard to the future care of the Indians on your reservation.

First, I am going to recommend that the North-Western Railroad be permitted to build into the mill, which ought to reduce your freight rates on your lumber.

I am also going to recommend: that all the land in the reservation be surveyed and mapped out by townships, the timber land estimated, farming land, pasture land, etc;

That farms be allotted to Indians wishing to become farmers the grant of the government to be so framed as to preclude alienation within a period of 50 years from the date of grant; the land not to be subject to lien or incumbrance of any kind.

That four or six of the brightest young men on the reservation be sent to Wisconsin State College of Agriculture, at Madison, to take a full course in Forestry and Scientific Farming.

That a thousand head of cattle be put on the reservation for tribal use, to eat up the pasture now going to waste.

That each Indian of the tribe be allowed \$500.00 out of their tribal funds.

In addition to that, each member who desires to go to farming, who is the head of a family, shall have \$500.00 more, to be charged to his account in the balance of the fund left in Washington.

That a new system of selling be devised, so as to get better prices, not having to sell at wholesale to lumber concerns, and try to get better prices from the retailers.

Mr. M. Oshkenaniew

-3-

12-5-1913.

That matters presented to the Government by the Indians be accorded prompt attention.

That slips be given to each Indian showing the profits of the mill, annually, by the Agent.

That a travelling library be established at Neopit.

You are at perfect liberty to show this letter to anybody you chose.

I want, of course, to make your letter to me a part of my report.

Yours very truly,

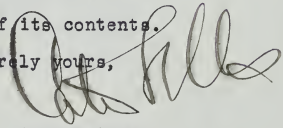
DEPARTMENT OF THE INTERIOR
OFFICE COMMISSIONER OF INDIAN AFFAIRS
WASHINGTON

December 4, 1913.

My dear Mr. Ayer:

Herewith find copy of a letter
which may be of interest to you. The
letter has just reached me and I am sending
same to you at my first opportunity, that
you may have the benefit of its contents.

Sincerely yours,


Commissioner.

Hon. E. E. Ayer,
Care Menominee Mills.

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(C o p y)

Law Office of

D. F. TYRRELL

Gillettt, Wis.,

11/24/13

Webster Ballinger,
Washington, D. C.

My dear Ballinger:


Have just returned from Shawano where I met a number of Menominee Indians. They inform me that for some time now the officials have been cleaning up around the mill yard and in the woods.

In the yard they have been cleaning up and piling all pieces of lumber that they had allowed to be scattered around and have covered up other lumber with refuse and ground up wood from the "hog" in order to get it out of sight.

In the woods they have commenced to dray in the logs that they had left to spoil and to deck up other logs that they cannot dray in now.

In other words they are "slicking up" for some reason and to my mind it looks as though it was in contemplation of a "visitor".

The Indians tell me that this cleaning up had never been done before, so it looks as though something has been "tipped off" to the officials here. This is an additional reason why I should be allowed to point out these things.



Page Two

This information should be brought to the attention of Mr. Sells at once so that he will know just what the conditions are here. I am writing this at 11.00 p. m. at night so that it will go on early morning train and reach you as early as possible. One Indian informed me that he had been discharged because he had objected to their covering up a large number of pieces of two inch hemlock plank.

Be sure to bring this matter to the attention of Commissioner Sells without delay.

Yours in haste,

(SIGNED) D.F.TYRRELL.



12-PH-4
1913.

C O P Y

The State Historical Society of Wisconsin,
Madison

December 5th, 191¹³~~4~~.

Edward E. Ayer, Esq.,
Board of Indian Commissioners,
Washington, D.C.

Dear Sir:--

In response to yours of the 3rd inst. Hon. M. S. Dudgeon, Secretary of the Free Library Commission, Madison, Wisconsin, is the proper person to whom to write concerning the establishment of a traveling library at the Menominee Indian Reservation, Neopit, Wis.

I will forward your letter to him, but you had best write to him direct.

Yours very truly,

Annie A. Nunns,

Secretary to Superintendent.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Dear Sir:

Would it be safe to try to saw a log
12 or 14 feet long, which had a hole clear through
it big enough so an ordinary sized man could
crawl through it, and a shell from 3 to 4 inches a-
round it? Would the hole in this log make it
dangerous to saw?

Yours very truly,

Edward E. Ayer.

Dec. 5, 1913.

For
Mr. T. J. Turney.

Mr Ayer

*Dear Sir we have cut quite
a number of logs as described without
any accident but of course it would be
taking a chance* *J. R. G. Turney*

Department of the Interior,
UNITED STATES INDIAN SERVICE,
MENOMINEE INDIAN MILLS,
NEOPIT, WIS.



Hon Edward E Ayer
Railway Exchange Building
Chicago Ill

725
Dear Sir:

Would it be safe to try to saw a log
12 or 14 feet long, which had a hole clear through
it big enough so an ordinary sized man could
crawl through it, and a shell from 3 to 4 inches a-
round it? Would the hole in this log make it
dangerous to saw?

Yours very truly,

Edward E. Ayer.

Dec. 5, 1913.

For
Mr. T. J. Turney,
Mr. Ed. Laporte
Mr. Theo. Laporte.

✓

Neopit, Wis. Dec. 1913.


D. F. Tyrell.

Sir:

I find in the interview with Mr. Ayer on Dec. 1, 1913 are not as I worded the facts to him. I suppose it is due to the fact he had so much to do in such a short space of time, he also failed to take anything that might be damaging to Mr. Nicholson. I do not understand how this can be, as Mr. Ayer assured me he was my friend. I am not saying he is not my friend, but he is not a lover of fair play. I did not tell Mr. Ayer that I wrote to Mr. LaFollette and told him I was a scientific fireman. I told Mr. Ayer himself that I had done scientific firing, that is the way us firemen term it when we test coal. He failed to state that I showed him recommendations from very reliable people to show that I had been a lumberman for over twenty years, also a letter to show I was chief fireman for the Menominee River Sugar Co. at one time. Now the Menominee Sugar beet factory is one of the largest of its kind in the world. He also failed to say anything in regards to Mr. Nicholson's report against me. It showed Mr. Ayer very plain that Mr. Nicholson's report was a pure fabrication manufactured to suit his own purpose. I also told Mr. Ayer I did not quit the sugar factory because they did not make me chief engineer for the simple reason the Menominee River sugar factory is not owned by the Menominee Indians, they were not obliged to make me an engineer, but this plant here at Neopit was built here to deucate us but the opportunities to learn are denied us I did not tell Mr. Ayer I was going break up my home, but I told him this, if Mr. Nicholson stays here, a lot of us Indians will have to leave the reservation. My wife likes it very well here and that he Mr. Nicholson might be the cause of breaking up one happy home I said Mr. Ayer do you know that Dr. Dixon made a statement at Green Bay Wis. to the fact that he found the Indians actually starving on some of the reservations. Mr. Ayer said he did not read the statement well I said such conditions exist right on this reservation, that a lot of Indians might die of starvation if Mr. Nicholson stayed any longer. Now we will come to the engineering question. Mr. Ayer told me a man had to be a Machinist before he could become an engineer I told him I was no Mechanic but this plant being built here for the Indians I thought they ought to overlook a few things and give me a chance, as we had a very good Mechanic here in the shop who could help me. I then told him of my family how I loved my little ones just as he did his, that if I got a position that paid fair wages I could take better care of my little ones, that I was getting along in years and felt that I was entitled to it.

Question - Mr. Ayer I have showed you I am a lumberman have been one for over twenty years.

Answer - You have showed me you are a first lumberman also a first class fireman.



I've showed you I have been a lumberman for twenty years. Now there is men who will come here who are not able to show and can not show today where they had been lumbermen for twenty minutes before coming here yet these men will tell me I do not know what I am talking about.

Now when those logging cars were first brought here, I helped to put them together. it did not require skilled labor. there was two of us engaged in the work. the only difference between us was this, I was a better man than he was meaning the man I was working with. he got two dollar per day while I got \$1.50 per day doing the same work.

Mr. Ayer did not like this kind of treatment and he asked if this was done under the present administration I told him it was under Mr. Nicholson's administration, this was omitted. Now about the lumber yard I told him I was sure the yard never was cleaned till this fall and told him I could swear to that and I told I could get other men here who would also swear to the same thing Mr. Ayer said I will take your word for it.

This is what took place to the best of my knowledge.

I will say further that the men who are employed here as engineers are not Machinists by any means. I know myself that this man Bently who is running the big engine here in the mill, was carrying wrenches for a steam fitter when this mill was built. Now if I was an engineer I do not think I would be around helping a steam fitter for a couple dollars per day when I could be running an engine some where for twice as much money than what he was getting but you see if an Indian asks for such jobs he has to be a very competent man or he dont get the job.

Now concerning the woods work here is where we are the heavy losers. I am one man that would not be a camp foreman under the present administration because those people does not know how to log, there method of logging is very expensive. I believe I could go up here to camp No. 18 and save this tribe of indians anywhere from one to five thousand dollars, just in this winter's work. I am not talking for a job as logging superintendent but I say if I was logging supt. I could do that and do it easy.

Now there is a man here who was riding carriage here in the mill he is a frenchman. Now the sawyer is a frenchman also. this carriage rider buys this sawyer a five dollar hat to let him set for him what is the result, he gets the job not because he is capable but because he buys this five dollar hat.

This is just to show how much chance an indian has here.

(Signed) Louis D. LaFrombois.

I told Mr. Ayer I was a voter and had been for 22 yrs and not 21 yrs as he has it. this was to show we are not all ignorant savages as we are sometimes painted.

✓

25 pages

A.S. Nicholson

MEMORANDUM

1001

1. You are the Manager and Agent of the Menominee Indian Reservation, are you not?

1. Answer.

I am Superintendent of the Menominee Indian Reservation in general charge of Indians, Schools and the Neopit Lumber Operation. Subject to the instructions of the Commissioner of Indian Affairs, Washington, D.C.

2. I find a good deal of complaint about your management here, by a portion of your charge, In a general way please tell me why these men that are dissatisfied are not at work.

2. Answer.

The complaint on part of certain Indians against my management is not a fair one. The sentiment shown is purely manufactured ~~and~~ based on no reasonable shadow of substance. It is purely the effort of the dissatisfied and those whom I have been compelled to discipline in my capacity as administrator of law and regulation and teacher. It is simply the effort of the few unprincipled factional leaders. Seizing upon every pretext, twisting every thing that will suit their purpose, manufacturing false evidence, preaching waste of Indian money not borne out by the record. Distorting every conceivable kind of thing to gain their ends in order to influence and poison the minds of their simpler, fellow Indian. It is openly charged I spend the Indian money as I see fit, while as a matter of fact I cannot spend one cent, without previous authority of the office for which purpose and strong justification must be shown and account by sworn voucher in turn for every cent for which I am bonded to the Government for \$100,000.00.

To understand better, the Indians are told on failure or delay in payment of annuity that their money is all gone, that I spent it. As a matter of fact their interest money amounts to about \$80,000.- yearly which under the law the Secretary of the Interior alone is authorized to expend for the best interests of the Indian. The expenses of Agency and Government schools is about \$50,000.00 per annum. This includes, salaries, supplies, rations, and clothing, support of hospital and employees. Road improvement and such general expenses such as repairs, etc. The Indian gets considerable part of this in shape of wages. There is \$18000.00 expended on contract Mission school to educate 150 children of the tribe owing to lack of school facilities. The Secretary is authorized if he sees fit to distribute the balance in shape of annuity. They received such only for past 6 years out of accumulated interest at rate of \$30.00 per head man, woman and children. The tribe first logged in 1880. It took them 30 years to roll up the sum of little over two million dollars. One million dollars is invested in this town and plant as a combined Educational and business proposition. When I came here the Tribe had in the Menominee Log Fund June 30, 1910, \$1,296,558.82. I took hold Oct. 1st, 1910 taking place of former manager. Each year since has seen progress. The first year was a stupendous task on part of every one to shut out loss. Remember I had to sell a product manufactured before I

I took hold, costing more than it would bring in market. Not withstanding this the figures of the books of the Treasury Dept., Washington, D.C. show this fund to have on date of June 30, 1913 reached \$1,737,550.67 a net result benefiting the tribe of \$440,991.85, at this rate their original fund will be duplicated under ten years. Copies of the official letter showing these figures were placed in hands of the tribe and the perfectly unscrupulous persons interested immediately preached to the Indians that figures were not true, that books were doctored, etc. Every appeal to passion, prejudice argument is used in secret to acquire following. It is pointed out that whites have all the good jobs and Indians all the poorer ones. They are told they are competent to perform the work, etc. In addition to this certain powerful interests outside who have always been opposed to this plant add fuel to the flame by misrepresentation to the Indians, having I am almost certain, certain Indians here in their employ. Again there is the liquor and Traders interests whom I have to combat, punish in first instance and discountenance Indians going into debt in second case. They preach against the agent in charge, saying he is the one responsible for lack of money to spend. How powerful the Indians takes this can be easily seen when he goes in store to get a line of credit. The records of the men interested are and have been records long before I took charge. In fact to curb them was one of the reasons I was sent out here. Without going back let me give you a short record of a number who talked with you. Records in black and white of this office.

16 THOMAS PRICKETT. 35 Part blood. Indian blood - very little. Member of tribe since 1910 or 1911. No visible means of support yet dresses fairly well. Travels to and from town. Spends R.R. fare, pays hotel bills and gambles. Was on our Pay roll prior to June 1911 in capacity of Warehouse helper. Has not worked since. This was right after he became member of tribe. Was insurance agent and collected - defaulted in making payments to company as per their letter on file and records showing payment by Indians to him and failure to remit the company causing cancellation and consequent loss to the Indian.

Record of Indian court shows, borrowed money from Indian women, promising repayment and failed to so do. Record of Indian Tribal councils shows attempt at assaults on Indian women. Father of children not through marriage. Refused to live up to promise of marriage. Has never applied for work since although opportunity always open.

FRANK S. GAUTHIER. Employed as Trespass Agent \$900.00 per annum in 1910 performed no work. Removed. Employed as clerk Keshena Indian Agency. \$720.00 per year. Stole liquor from vault placed there as evidences in liquor cases. Drunk many times. Warned took pledge - violated it immediately. Guilty of secretly formulating charges - false - against employees whom he disliked because of having to report him. Dismissed. Employed as W.H. clerk. Duties, billing supplies and shipping - Careless - made many mistakes, which might have proved costly - resigned.

Indicted by U.S. Grand Jury for introduction of liquor on the

Reserve and only ^{this} ~~that~~ summer ^{3/} trying to induce his own son and another boy just home from school to drink intoxicating liquors. Guilty of suppling liquor to other Indians for past years-not working- No visible means of support. Dresses well always has money. Travels much to outside towns- paying R.R. fare, hotel bills; even trips to Washington, Milwaukee, Ashland and other places.

MITCHELL OSMENANIEW. Tribal resolution in record prohibiting him from ever representing the tribe in any capacity due to past misdeeds. Employed as a check time keeper on late men and those going out before time at Mill. Found not ~~to~~ be on post. Many mistakes made in time book of which he had control. Guilty of making charges against employees from manufactured evidence. Known to be false. Does not pay debts. Left employ of mills of own accord. in Feb. 1912. Has not worked since. Lives and dresses well. Takes trips apparently has money. No visible means of support. Know to be addicted to us of liquor. In beastly condition while on a trip to Washington. Has drank liquor since here on the Reserve with other Indians. Perfectly unscrupulous. Secretly stirring up race prejudice at all times. Has not applied for work since until last month after a talk with me in reference to Indian office letter to discipline him on account of failure to live up to contract.

CHARLES CHICKENNY. Employed as Forest guard. \$720. yearly. Dismissed after many overlookings on account drunkenness. Have letter in my file complimenting me in treatment of him. Employed now in yard as sub-foreman shipping-careless in work. Has to be continually watched.

SIMON BEAUPREY Employed \$720. yearly. Dismissed account habitual drunkenness. Supplying liquor to Indians. Guilty of failure to perform duty assigned. In case where he was to actually scale timber being shipped, he copied from books of purchasers. Then spreading story of shortage in scale charging collision of operation officials. Has not worked for some months. Evidently has plenty spending money as he goes about same as others.

SAM LAFROMBOIS Wrks along fairly well when he finds congenial employment. This is usually when gasoline loaders are working. No sense of responsibility. Was in charge of loader only short time ago. Same was being moved. He forgot to have the guy line removed, result one man killed instantly- three other lives endangered.

JOE LONGLEY Rarely on our pay rolls. Plenty of work for him. Lives well. No visible means of support. Guilty of drunkenness and introduction of liquor on the Reserve. Took a bark contract job a short time ago. Bark in woods found to be so piled as to have hollow spaces inside as he was paid by cord evident intention to beat the scaler which was done. Walks around critising everything but produces of nothing himself. Had a job on tie making. Utterly failed to live up to specifications. Had to cancel contract - lost money.

MOSE TUCKER. Farmer at Keshena. Takes jobs here in winter. Has logged. Loaded out bark on contract. Never yet has he come out even.

Exercises ~~no~~ executive ability over work. Lets supplies go out of camp without charge to his men. Struggles in a way but likes the easy route. Somewhat inclined to follow prevailing sentiment rather than lead. Inclined to get into debt in spite of supervision. Does not like to be cautioned. May be considered as trying to better himself.

✓ PAUL TEBEAU. Mixed blood. New member of tribe. Has been foreman of Timber makers. Supposed to scale and keep time. Failed utterly. Found him taking record as furnished by the purchasers of timbers. Employed as foreman of Brush Burning crew. Careless. Let fire get away from him, then tried to cover up by spreading story operation deliberately set fire to pile logs. Nearly a costly venture for us. Had a contract to complete cut of old camp 12 taking small bodies timber left there failed to complete job. Claims could not secure labor. Yet aspires to foremanship. Indians will not work for him. Responsible for story of waste at old camp 12 site. When as a matter of fact he left himself the stuff he was to take in as per contract. Critic in every thing. Tried and found wanting in every test given.

✓ TOM L & BELL Farmer. Hotel keeper, jobber. Addicted to use of liquor, gambles, aspires to be a leader. A part blood. Failure as logging contractor. Does not work except at times. Uneducated, talks much. Took logging job last winter, had to be carefully watched on supply bill or would run behind, careless as to detail. His excesses of past unfit him for hard work. No morals.

✓ ADOLPH AMOUR Pond foreman. Works fairly well. Aspires to better job. Uneducated. Careless on details and property in charge. Addicted to use of liquor. Wastes his earnings. Jobber. Never made good, ran far behind, possesses no executive ability, cannot handle men, no sense of responsibility. Did not think it anything out of way that he caused a loss of several hundred dollars, but if saw white man, absent from post 5 minutes, would point it out as stealing time. Has been often away from his post minutes and hours, thinks it all right to put in time and draw pay.

GEORGE MCCALL. Now camp foreman. A logger in a way if continually supervised. Cost of his camp greatest on the works. No business head. Have to continually drive him. For instance was formerly foreman our camp 5. Cost of feeding teams showed very excessive. Investigation showed men going to town, liquoring up and returning with a team and driver. Paid by bag of oats or bale of hay out of barn. That was reason of high cost. He neither reported liquor trespass nor could he account for high costs although something was wrong. Could see no wrong in entertaining friends or visiting teams at expense of operation. Let him out and am now trying him again although he has to be continually watched.

✓ FRANK KESHENA. Had been assistant time clerk. Made mistakes. Used liquor considerably. Liked to go to town frequently. Dismissed for

inattention to duties. Given a chance again as Camp property clerk. Duty to check up wanager account. Knew a clerk was short, did not report because was an Indian. Property clerk another Indian reported he was of no use at all let him out. Gave him another chance, as clerk and scaler on jobbers- because Indian jobbers he evidently allowed more than full scale in instances. Scaled twice, in bark jobs when bark shipped out actual measure much less than his scale turned in. In count and inspection of posts careless. Jobbers would have been over paid only that a double check found his short comings. Likes easy job and good pay. When errors found by him not reported to office but told Indians making a story plausible as if fraud was intended.

CHARLES DUQUAINE Part blood. Indian very little. Camp clerk. In town every evening until late at night. Gambled. Caught stealing money and property of operation. So far has not made good. Utterly immoral. Make no effort at going to work since dismissed from former job. Careless on work. Scale not to be depended on.

CHARLES FRECIETTE. Mixed Blood. New member of tribe. Has been camp foreman. Cost was highest of operation. Aspires to Superintendency although Not fitted, no business ability. Critic of superiors, not always following instructions. Follower of Frank Gauthier, instrument in his hands in spreading talk and creating dissension. Works fairly well that is steadily now foreman of Pond crew. Cost of this work some cents per M higher that it should be. Has not the knack of getting work out of men.

PETER LAMOTTE. Chief of Police. Inclined to exercise authority at inopportune times saying he was so ordered. Again fails to call my attention to cases where in friends of his are concerned. Has been logging jobber failed. Likes to mingle in town gossip too much. Not independent inclined to follow rather than lead. Likes to liquor up No sense of responsibility- fails to set example to his Indians brothers. One of those who preach tribe money is being wasted because the interest money is not handed over to them. Gambles. Will not do real work. Prefers easy job.

LOUIS KAKUATOSH. Works at odd times - likes to liquor up. Wants easy money. Has been given jobs tie making. Logging, failed utterly in each. Runs into debt. Rarely pays bills - says he is going to some time. Owns Mills. Trades every one where he can get a cent credit. Plenty of work but does not like the steady grind. of real work. Drives round considerably.

REGINALD OSHKOSH. Was employment agent 900. performed no work. Dismissed. Liked to liquor up. For a long period stirred up trouble in order to get easy job and good pay when he could have time to look after tribal interest as he put it. Finally made up his mind to go to work is now foreman of small crew. Does not think it wrong to take time off. Is progressing and all in all is better leader

FOR Indian good than any of others so called leaders. Is hereditary chief of tribe. As such thinks he should be superintendent. In fact has a scheme whereby certain leaders should be made Supt. in charge - Supt. of Mill, Logging Supt., etc. and then white men hired to do the work.

✓ LOUIS LAFROMBOIS. Part blood. New member of tribe. Employed as Pond man. Wanted to be fireman in mill. Weights 250 lbs. When it was pointed out that fireman have to clean boilers and it was physical impossibility for him to do this work he thought the Mill. Supt. might do this. Sulky, complains he should have better job. Several chances given him to show capability but did not like the steady grind. Claim able to make 3.00 to 3.50 day outside but stays here at 2.00 day. Owes many bills. Poor pay. Continually in wiv up in torns social relations. Says is citizens advises Indians to resist decipline. Only just before your arrival here was one of party arrested coming from town drunk as a lord. He had the money-admitted buying liquor but refused to tell who supplied same. Busy always in formenting trouble. Not inclined to steady employment. Criticises but does not realize the value of applied industry. Wastes his earnings. Responsible in part for stores to Indians, Books of Mills doctored and that funds are spent and wasted.

✓ JOE LAWE Does not work. No visible means of support. Gambling seemingly his only industry continually driving around. Lately seems to take some interest as member of Indian Fair Association.

These are only a few that I quote. I could go on with record of sixty or more. In most part misled and misinformed but willing to believe in hopes of a change whereby they would not be continually prodded to start straight. All would like a good job at good pay- easy work, etc., but none display intentions by industry to earn promotion. They have no sense of responsibility. Do not see wrong on their part but find it readily on part of others. I have found Indians taking hay and feed from barns. They did not call it stealing on their part. Sort of figured they had a right to it. I have placed Indians in charge of property and they could see no reason in having to account for it. Some onetook it. I have had Indian clerks deliberately make mistakes for instance in supplies charged white employee one price for supplies and Indians another and then run around shouting discrimination against the Indian not knowing their purpose had been discovered and proper correction made. I have had Indians in semi- executive or clerical capacity and when legitimate error found fail to report same, but instead spread rumor that things are wrong and point these instances as example. Many and many of incidents such as this have I investigated and corrected and of the many investigations on part of Inspectors of Indian Service and others. The time has yet to come in which something wrong is to be found. In fact the position of the management here has been strengthened in each and every case.

Every Indian who wants work can get it. No Indian can be produced who can say that he applied to management here and could not get a job and at once. It may not be the ideal one he desires but it is one which I think measures up to his capabilities or one in which I can test him for his fitness. No man is barred not even those dismissed for cause. In a case like this I simply start all over with the person on a new line to make something out of him and this not once, but after failure upon failure. I have not always held the employers point of view in mind but ever before me is my semi-dual capacity of teacher. I do not aim to say that my management is perfect or this plant is an ideal business corporation. The law makes this an institution for industrial development of the Indian and as well ~~as~~ business proposition in which they are expected to benefit financially. No man need suffer for work nor do they. True they may say so- think they are entitled to better jobs higher pay, etc. which is their cry, but it is only subterfuge. There is waste here, Some waste of energy some might put it that could be used better in other directions.- such a business management. The Indian knows nothing of efficiency of organization. Here we have a business institution and school combined at least 1/3 to 1/2 of its organization children and its efficiency crippled to that extent and yet all things considered its a question if its not a good investment. Could you have come here with me three years ago last June and saw the condition of management- organization- financial condition and internal relations of plant to town and its home life then I feel your visit here in 1913 would have witnessed a great change for the better. More and many more Indians learning the value of steady employment. Homes that were hastily constructed one room shacks, now the neatly constructed modern 4-5 and 6 room cottages. Conditions in home life so completely ~~altered~~ that it could not be recognized. Dusky in features but white in fashions- living, and conduct, in a fair way. The throwing of Indians into contact, socially and industrially has worked a wonderful change but its only in its infancy. It costs something it may be said but is it not money well spent. I doubt it there is any tribe in American wherein greater change has taken place than here in the short period of existence of this plant. Morally of course, conditions are bad. Waste or imperfect organization etc. exist but day to day sees a bettering. Some tightening of the machine. Some improvement in the efficiency of the operation. The greater part of the work has been done, what remains now is to perfect or pick up the loose threads. Waste has been spoken of- the great pity of it all is that this is true not as the ring leaders of the present movement would have, but waste in shape of idle Indians, who has lead to believe through agitation that the mill ~~new~~ is at hand. New men are to take hold. Good jobs are to be parceled out to every one- waste not only in wages lost caused by this unrest, but waste of our efforts to get them to labor and after getting started the lessons lost by having to start all over again. The time records of these Mills show in all these periods the loss of at least 100 Indians who disappear from the Pay rolls waiting for the great change preached which never comes. Many investigations have been held. It is time something happened once and for all. Either charges are or are not true. The way should not be left open for the future. If things are fairly well, no matter who is on the

job, the office should ~~mean~~ discipline to those who are a real hindrance to the progress of the Indian toward industrial self development. Summed up these men are not at work because they will not work and those who are working- hold out their hands for a work to which they are in no manner fitted. I can ~~comb~~ over the employees of this plant and not find one white occupying a place not absolutely necessary while it is a matter of record that this year I more than once strained the organization by depending too much on the Indian in view of the labor scarcity.

3. What is the past experience of this plant on logging contracts to Indians?

This plants experience on logging contracts to Indians has not been at all satisfactory. The law prohibits the employment of white labor. Yet the Indian jobber seeks it at once. He likes to drive round, put on a foreman, time keeper- clerk instead of handling work himself. Careless of supplies, overlooking the fact it is part of his cost. Our contracts are invariable handed out on a basis of \$6.00 per M. We do work for \$4.75 per M. Usually jobs are comparatively easy yet through lack of business management the Indian fails. The records of the office back this up to the extent of thousands of dollars claims filed against the tribe from old logging days. What success was found in contractor breaking even or a little better was due to the fact that I personally supervised their work and accounts. Guaranteed them labor- loaned them supplies and outfit. In fact financed them. Being notoriously careless in payment of obligation - labor or otherwise it was necessary for me in each and every instance to handle the work for them. The records are here to vouch for this.

4. They also seem to think that they at least ought to be made bosses of the camps in the woods. From your experience on the reservation the last three years, do you think this is practical?

4. Answer. This question is answered in part by my answer to question 2. It is not practical but can be experimented with. We have now Camp 15 white foreman, Camp 16 Indian foreman, Camp 17 Indian foreman, Camp 18 Indian foreman. Over these are the Logging Supt. Mr. Brigham assisted by Mr. Peterson, woods foreman, who lay out work, plan roads and continually supervise in order to hold cost within reason. ~~They log~~ They log hap-hazard- not one ever had experience in R.A. logging- could not even attempt to build a spur. We are endeavoring to teach them but they can never attain the proficiency of white men because lacking initiative being to far set in lines of old days. Not a single one could be counted on along to fill the demand of the mill daily as its consumption demanded. We usually man our camps on basis of 3 white foreman to 2 Indians, after things get going, the logging boss taking personal charge of the 2 Indian camps.

5. How many thousand feet of miscuts have been saved in the past year?

and loaded on car by us. The price accepted is that deemed best for the operation. The last large sale of wane¹⁰board timber was made, at a price of \$70.00 per M ft. purchasers to make and load on cars himself. A small sale was made this year at \$75.00 but as market for this class of stuff is dead this year no large sale could be effected.

ROCK ELM timbers. Process of sale same as above. Prices offered this year 50 cents per cube ft. buyer to make and load on cars himself. Prior to this year this class of stuff brought 42 to 47 cents cube ft.

8. What is your idea about helping the trustworth industrious Indians to become farmers and give them say seven or eight hundred dollars out of their individual share of the money in Washington to the tribe's credit?

8. Answer.

I firmly believe that the industrial advancement of the Indian demands that he be given financial assistance to better his conditions. He can only learn the value and uses of money by the actual handling of it himself. Trustworth and industrious Indians should be assisted by the placing to their individual credit a certain sum of money which they could invest to improve business, farms and home conditions. While it is true at present that the farmer here may be helped to the extent of \$600.00 by a loan from Tribal fund which he must repay in 4 years. He acquires no practical education in the use of this money because he does not have the actual disbursement of same.

Every Indian should have the opportunity if his stage of competency warranted to have at his command under supervision \$600.00 in cash with which he might make the effort, whether that be in purchase of tools and equipment, stock, building of house, barn, etc. As it is now the Indian is struggling to farm 5 to 60 acres as case

may be often with no team, agricultural implements the simplest such as plow and cultivator. No proper buildings for housing the produce he raised and no means to add to his stock or equipment. The result is even the results of his meager effort in scratching the soil, no matter how bountiful, are often wasted through lack of means to gather and store them, while if in possession of the simpler proper equipment, fair buildings, a larger and richer harvest could be made with the Indian that much nearer the self supporting stage. Even the most advanced Indian would have a reserve fund to fall back on to purchase seed in event of crop failure or to tide him over unforeseen emergency thus preventing him from hanging the mill stone of debt around his neck which takes \$200, for one to ever come.

9. There seems to be a great desire of the tribe to have a portion of this money. If the Government should give every Indian on the Reservation \$500. of their money, in the usual way, what method do you suggest of conserving this amount, taking care of that portion of it given to minors, and men addicted to the use of liquor, etc.?

9. Answer.

By all means give the Indian or place to his credit in Bank \$600.00 of his money to be disbursed under the Individual Indian money to plan. It is a very simple matter to conserve this. The Indians could be divided into classes. Those requiring no supervision. Those requiring partial supervision and those who would waste their resources. Checks could be made against waste very easily. For instances Mr. Indian has \$600.00 to his credit. He comes to office applies for \$300.00 to purchase plow, cultivator, wagon, harness, cows or any articles within reason. If a competent Indian he could submit bills showing purchase and produce same if wisely spent he could be congratulated. He could be advised of best market and best articles if necessary he could be accompanied by an advisor. If the 2nd class Indian desired say \$100.00. He could be allowed to purchase under office supervisor. As he demonstrated his ability to handle his money he could be advanced.

While for the Indian who would waste or misuse, the needed articles could be purchased for him and an endeavor to advance him could be made by an apprenticeship or record taken of him industrial earning capacity. In all these cases advances or reductions could be made as the case demanded.

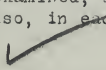
The Individual Indian Money regulation cover these cases only that the strings should be unloosened by allowing the Agency office more leeway in granting of allowances without reference for approval to Washington.

10. What do you think of the idea of selecting four or six of the highest grade young men on the reservation and sending them to Wisconsin Agricultural College at Madison to take a full course in forestry and agriculture, that they may come back to the reservation and teach all those farmers that there are, or will be, the proper methods of farming, raising and care of stock, etc.?

10. Answer.

The idea of selecting a certain number of the best young men of the reservation and sending them to Madison is a thought practical and of far reaching effect in helping settle the Indian problem. Education is the way out. The burden of complaint of the product of the higher Indian schools is that there is no opportunity for a higher practical education. First principles are instilled but of scientific knowledge that could be put to expert use there is no way out. Just enough is given him to create desire for a finished education. An agricultural and Forest course for the Menominee Indians could not but result in untold returns for this Indian natural resources are in the soil and in the timber. It would be a practical direct method multiplying Indian effort untold fold. The Harvest of such an idea put into effect cannot be told.

11. What is your idean about the advisability of having the entire reservation thoroughly examined, and timber upon it extimated, showing the quality of land also, in each section?



11. Answer.

Sound business sense demands that the resources of any affair should be as accurately determined as is possible. No working plan is sound unless so done. I am on record in this office advocating and recommending (see my letter of office dated May 19 and April 5th, 1911)

It should be a cruise by practical men such as the modern lumberman employees. There are 5760 forty acres tracts on Reserva. Good cruisers should make 16 forties a day here. Cruise should embrace topography- character of soil - and natural resources of the reserve. A working plan was laid out for here but for some reason was over ruled. I have the opinion of expert men that this procedure should be undertaken at once. The information would be of untold worth to our business , to the agency and to the Indian.

MENOMINEE INDIAN MILLS

By

A. G. Anderson
Menominee Reservation.

Dec 5 1913



16. Will you be kind enough to give me a little synopsis of your method of taking care of the old, sick and young Indians who can do nothing for themselves on the reservation; is there money appropriated for that, etc.

16. Answer.

Any Indian old, sick or disabled in such manner as to be unable to provide for him or herself on report to the Agency office and if possessing no immediate relatives or friends who will not look out for them, can be put on ration roll and receive two weeks rations of flour and pork enough for subsistence for this period and even if with relatives or friends this allowance can be made. Under special authority clothing can be issued for their comfort as well as other necessities. Two physicians are continually on the rounds as well as an Indian policeman, 3 farmers (white) each having a district of his own and a field matron. All required to note and report and aid in deserving cases.

In cases where there are no friends or relatives, we have a Hospital which cases of this kind are taken care of. In cases of children, orphans, they are placed in schools, government or Mission as is desired where they receive clothing, food and quarters, etc. Those with disease are sent to hospital for care and treatment. In case of first steps of tuberculosis, if consent can be secured they are sent away to recently established sanitariums for special care and treatment.

Notwithstanding all this, it would be better perhaps if this class of Indian had set aside his share of his own funds and be permitted to live out their lives in their own way, in their own homes. Naturally on removal to hospital in many cases, they feel the separation and absence from their own settlement and homes, of course there are cases, where in separation is justifiable and really should be enforced, in protection to lives of others with whom they might come in contact. In many cases we find persons of this helpless class, putting up with poor food, poor clothing, etc. and loss of many comforts, they could obtain, if they had money of their own to prevent separation from friends and home.

#17. We understood, while at Neopit, that the season broke up very early last spring. How much earlier than usual and what effect did that have on temporarily leaving logs in the woods. How many feet of logs have you cut since you took possession of the mill; give me this by seasons please, - 1910-11, 1911-12 and 1912-13.

17. Answer. Our winter logging season of 1912 and 1913 broke at least two to three weeks earlier than usual; thaws developed in latter part of February that made skidding hard and on or about March 4th a heavy thaw set in that carried the snow away and softened ice in swamp and creek that made work dangerous and impossible. We can usually count on work for clean up, etc. up and to latter part of March even at times after April 1st. A let up on sleigh haul of two weeks, a week even several days in case such as this, can result in leaving of logs in woods in places preventing skidding out and in others preventing sleigh haul. Start of winter has something to do also with conditions at the end of winter. If the hard frosts come early enough to well freeze the ground before snow falls naturally thaws at end of winter do not have much effect, a ground remains frozen longer. Last fall we had a freeze up then a spell of soft weather, opening up things again

Nicholson
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12. I understand that the snow went off earlier than usual this past Spring: is that true? If so, was it any hindrance towards clearing up the logs cut during the season? Have there been any efforts made during the summer and Fall to skid such logs, getting them ready to haul the coming winter? Are there any logs left, - if so what quality and amount, - that has been cut during the seasons of the winters of 1910, 1911 and 1912? Is it possible to get any that may be left to the mill? Was there any effort made to keep those that were left from being wormed by the worms? *12*

12. Answer.

Our records here show heavy thaw which did away with all sleigh haul first week of March 1913. Prior to this there were thaws which made it necessary to cart snow for bad places. Days were frequent in which only part of a day would be used. The freeze during the night would be over come during day by the sun. This necessarily caused a hindrance to perfect clean up of winters work. Again it left logs in pot holes, covered by snow on the low, moist places where they could not be reached. In spring - Pine logs were peeled and skidded. I think it is a fact that a bare half dozen logs escaped these efforts to protect them., Again it must be remembered that these logs are in midst of a live operation. Such logs as left after sleigh haul would be taken if in reach of summers logging operations and if not possible for this would be taken in the first of the coming winter as winter logging will start in wherelast winters operation left off. I hand you a map showing in legends the carious camps work from 1910 to date. Here are marked the approximate spots in O where logs lay that committee showed your men. You will notice in each case that same are on the very edge of each seasons works. This stuff all shows in territory of Camp 15 lo cutting. It must be also remembered here that Camp 15 was built in 1912 its work was planned to extend over East half of Sec. 16 to and including 15 and south half of Sec. 10. when well under way instructions were received on Jan. 1st from U.S. Indian office that pending a suit to be intered in U.S. Supreme Court during this summer to decide ownership of land, no timber was to be cut. This caused a complete change in work of this camp. Its work had to be shifted in other directions. It must be remembered that the mill eats up a certain quantity of logs every day. Hauling in heavy snow over R.R. is tough work. Shortage in labor which was a fact during last year and a half, means every available man to be placed where timber can be got to keep the mill supplied. The emergencies at the particular moments must be held always in mind. Cost of taking out individual logs, deterioration if any, if permitted to lay for a period, cost of peeling, skidding up to prevent deterioration, all must be weighed and counted for best interests of the operation. There are some logs left in edges of last winters work that will naturally be taken this coming winter, that could not be reached in summer logging except at too great a cost.

This winters work will care for such logs as were viewed by your ren, which are on edges of cuttings of past works. Camp 15 17 and 18 will take the stuff. The year 1910 witnessed a great fire here roughly designated in map in Portions of this territory had been frequently burned over prior to this year, the operation commencing winter of 1910 - 1911 was to put camps in and save what valuable stuff we could. In meantime we had to go to Washington for legislature to build R.R. which was obtained finally and June 14-1911 saw

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the first logs going to the mill. There was considerable burned in 1910 and year previously such as would pay was taken. It must be remembered in 1910-1911 and up to Oct. 1912 prices on Hemlock was such that it was difficult to realize bare cost of manufacture ranging from 5.50 to 7.00 on #3 and other grades correspondingly to after Oct. 1-10 to \$13.00 per M. Market is now falling! Such Hemlock as would not pay was left. It was not a great amount. It is at the South and West edges of cutting of old Camp 12 and South edge of old camp 11. The good stuff here will come in this winter. We took some in 1911 and 1912. I am inclosing you scale of logs found in woods by our men with notes of their actual conditions. These are the logs which were pointed out to justify the charge of "great waste". They are all there are. A comparison of descriptions of land on which they are will show them in the very heart of the present works. Some have been deked as witnessed by your men and note should be made here that this work was legitimate part of the works, not effort to hide anything as was endeavored to be claimed, because it was not known that any one was to look at them, or that any "much ado" was being made about them. In fact we knew nothing of them prowling around of any one to discover so-called waste. Hewn square timbers two or three were pointed out as waste left, I would have you know that our books show every timber paid for whether taken or not, and even these left will be taken in by us because abandoned by purchasers with added profits to us. Again that any damage resultant from square timber cutting was charged and paid for and our books show the money received and deposited. Again it was pointed out that the Pine fallen was all cut by square timber men, this was not so, our own Camp 15 cut the greater part of pine as report shows. It could not be taken on account of condition of the ground due to early break up of winter and in part shift of change of camps scene of work.

13. While there I told all the Indians I came in contact with what I was going to recommend. You may tell them that I shall also recommend that each member of the tribe be paid the sum of \$500.00 out of their tribal funds in Washington, but I shall frame this with the original idea of advancing money to men who will clean up the land and go to farming. Those men should have an additional sum of \$300.00 or \$400.00 to be charged to their individual share of the funds remaining in Washington. What is your opinion on this?

13. Answer.

The advancement of money to Indians from the tribal funds for the purpose of encouragement along agricultural lines would be a splendid thing. Legislation may be necessary if so it should be obtained at once. Something should be done to put the Indian on an independent basis. I might as well bring my boy up to 42 years of age, not permit him to handle a cent, buy all his necessities, do all his business for him, not let him know anything of the responsibilities of life and then turn him loose. Think you, that he would make the average citizen or that he could then go on competent to perform his share in our worlds work.

Each Indian is entitled to a certain share of the funds on deposit in Washington. In addition he has practically a source of perpetual income here. If he is ever to handle same a start

should be made. This start taken with me who in a limited way show desire to reach higher heights should obtain results.

No.14 In the contracts made for lumber and pine in the tree, were those contracts let strictly in conformity to the rules of the Department for selling lumber at the Mill?

14. Answer.

Contracts for waney board pine timber and Rock Elm timber have always been made in strict conformity with rule of the Department for selling. Note in proposal sales was sent to every one known to be interested in this line of product. A weekly add is carried in lumber trade Journals and a large bi-monthly add that sale of products are held here. Bids were received from the known purchasers of this class of product. They were opened on a selected day and award was made to the highest bidders as our records will show.

15. What are the rules of the Department for selling the lumber cut?

15. Answer.

The rules for sale of products were handed you in my answer to your question #7.

Dec. 8, 1913.

MEMORANDUM FOR THE MILL

[Signature]

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and in December the snow came covering the ground before it had a good chance to freeze. Naturally this spring, the melting snows had much less distance to work down to open up ground and in moist swampy places, thaws practically opened them up at once.

I am inclosing you herewith statement of logs cut by Species and camps during seasons of 1910-11, 1911-1912, and 1912-1913.

18. Give me your version of the trouble that has arisen on the reservation. How many Indians have been interested, and what have been the characters of those that have been fomenting this trouble and has there been to your personal knowledge, any white influence brought to bear?.

18. Answer/

Your question in a way is hard one to answer. There is and always be trouble with a certain class, because in a way there is no discipline that can be administered, while the office permits itself to be deluged with complaints of any nature, investigate them, and then fails to rebuke severely those responsible. If after due investigation, it is found that there are no reasonable grounds for complaint. As long as any half dozen dissatisfied and unscrupulous are permitted to continually roam around, making capital out of anything they can pick up - make up or distort into a something that will answer their purpose, no trouble can be had in acquiring a following.

The trouble of to day, the culmination of a series of complaints started about April or May 1912. It was engineered by Oshkenaniew, Prickett, McCall, Tucker, LaBell, Gauthier and several others. Prickett had always been restless, but amounted to nothing until joined by Oshkenaniew. The others simply trail along or are handy tools as case may be. Since the doing away of the old business committee of 15 at time of visit of Senate Committee in 1909 or thereabouts for crookedness in tribal affairs, those members always long for a return to the old days of easy money etc.

My attention was directed first in this direction to a complaint handed in by them while on a trip to Washington in 1912 as above mentioned. Again through the secret influence of out siders being exerted in here against the operation and the superintendent, myself. But to start from the commencement. These people could not have acquired any influence at all, had it not happened that in 1912 it was found that owing to their interest money having been all used up in payment of annuities for the several years previous and for the legitimate expense of the agency, schools, etc. that there was no available surplus that could be set aside to make a payment. Oshkenaniew Prickett and his kind immediately set up a cry that money was all wasted and spent and were aided in this by interests outside opposed to the plant and the administration of Indian Affairs here. It was proposed to send a delegation to Washington, D.C. to look after their interests, they went aided by a substantial collection furnished from outside. I know personally traders in town who contributed because they told me so later. Prior to this I had found that the Menominee Indian Mills had used to pay labor a sum of approximately \$125,000 of interest money which I claimed should have been taken from the fund direct itself as authorized by law and that this money should be replaced to interest credit. This was done prior to start of the Committee to Washington, D.C. where of course they accomplished nothing but did claim on their return

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that they had got back a large sum of money and that payment would be made, etc. This gave them a footing, ever since they have added to it. Without their ever having examined the books of this mill they charge fraud and waste. In spite of official letters from the office and from Representative in Congress check up the office they interpret to the other Indian wrongfully saying it is proof, etc.

The Indians say or are told that Mr. Hollister of Oshkosh who has passed through this reservation a number of times has told them that they are not getting half enough for their lumber. He is quoted as saying that the big Pine being sold is the cream and should bring \$125. to 150. per/and other species corresponding. That the cutting of this timber is robbing the yard, etc.

One of the many things I instituted on my arrival here was the prohibitions as set forth in regulations prohibiting any one trading with Indians to come on Reservation while a payment was going on. They had been in habit of appearing at agency and when check was about to be handed over to Indian take same and give the Indian so much credit on old account or new. Naturally they did not like this. Another thing was the so called traders claim referred to me for investigation and approval. I recommended against its payment and this was sustained on appeal to the highest authority, the Indian Office, Office of the Secretary of the Interior and even to the comptroller of the Treasury. They even petitioned Congress for legislation to pay, but it was denied although later they did get through a bill permitting the matter to be referred to the Court of Claims for review, where it now is. These claims consist of supplies furnished to Indians for years back, it was claimed but I could not find Indians who could say they ever received same or if they did double and triple pieces were charged and in no case could payment be found as a credit although the Indian claimed he handed his checks over to them. Included also were the claims of the logging contractors on the Blown down district jobs in 1905 to 1908. You know some of its history. Contracts were given to Indians they were permitted to take in white partners. In cases double scales of timber cut were made - in others they failed to live up to contract at all, the easiest work was done, green timber cut. The white man supplying charged up all kinds of supplies, expenses, etc. the Indians got nothing. It all resulted in the Government sending in special men who went over all the works. Checked up accounts and withheld payment of enough money to pay for violation of contract, etc. These men appealed to every source, brought suit which was thrown out of court, etc. Heading this crowd was one man named Cook, notorious in this county for timber operators. His headquarters is Oconto. Mr. Tyrell is his personal attorney. Mr. Ballinger the Washington representative, selected at that time I suppose because of supposedly influence with his uncle who was Secretary. But the same Secretary had sent me on the job out here. A year ago a hearing was held in Shawano to take testimony of Indians who were partners. Ballinger and Tyrell were both there representing Cook. Strange to relate and I have it on pretty good source Cook had bought up the greater number of claims. Many Indian partners hitherto opposed were found in favor because it was promised to them a share if any money was recovered. These attorneys also learned that the nominees had certain interests

at stake such as the Disputed School and Swamp Lands claimed by the and at once became hungry for large fees as attorneys to represent the Indians. Mr. Ballinger approached me while in Washington so I know his interest. I have simply apposed them and in meantime have been instrumental in having suit brought in U.S. Supreme Courte for test and am now waiting decision.

This brings in another element. The enabling act for the State of Wisconsin, set aside Sections 16 of the public Survey and all swamp land to be used for educational purposes by the State unless those lands were otherwise set aside. The Menominee Reserve was created before the State. Attempt was made to extinguish Indian title by treaty which was never accomplished. By error in giving patents for other lands patents were also issued to State for certain lands within this reserve. Lumbermen discovered they were valuable for timber and bought them from the State. They cut on some and were stopped later in cutting on any. They have sat down awaiting the time if nothing was done whereby these lands would fall into their hands. Naturally any agent who is looking after Indians interest, took step to protect the Indian right would be disliked. It seemed the practice of old days that the white got all he wanted in here and no reason could be seen why this policy should not continue. I reckoned I changed it somewhat after efforts to get decision or actions to determine ownership which resulted in nothing. I started Camp 15 on Sec. 16 and prepared to cut, well knowing that these lumber interests outside would be compelled to go into court to stop it or yield up their claim.. They went into court there I think they lose. At any rate I have this to go on there is on the calendar of the Supreme Court of this State a test case for which has been on docket for years but which is continued along each session because these people feel they would lose even in their own court. Naturally I have antagonism of these persons concerned on the outside, which is considerable.

Again there is the Stockbridge land cases. Patents in fee were given to these Indians in 1910 under this agency. Prior to the delivery of patents certain lumber interests in county around here went to the Indians and for a \$100 or \$200 usually handed out in silver dollars secured a deed and promise to turn over patents when received. You can imagine what this sum of money meant to an Indian who had been accustomed from childhood up to receive \$2½ dollars from the Government per year as his interest money. Enough that they sold for a song or in cases were so drunk they did not know. I held these sales prior to date of approval of the Patents illegal. The Département so held, I was instructed to bring suit to set deeds aside which I have done and this month case comes off in U.S. Dist. court, Milwaukee. This compelled those lumbermen and land grabbers who took in forties \$5000 worth of timber and then not completely cut over to run around to secure new deeds. In some cases it was arrived at by questionable methods, but in most the Indian received added compensation. Naturally all this did not make any very good friends for the Superintendent here. These are the principal cases outside the fact that a sincere and successful attempt is made to make this will pay which some interests think should not be done and which nothing has yet been shown me could

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not have been done from the start. I could name endless little things that all tried to make the present superintendent a very undesirable person to be on the job here.

The head and center of present Kick are a certain half dozen. Prickett now the nominal head, Oshkenaniew has been the chief brains but within last few days he has dropped away. Backing these men up are L. Lafrombois, Joe Longley, F.S. Gauthier, Alex Kaquatosh, Tom LaBell, McCall, Paul Tebeau who are the real heads. Their following numbers perhaps 60 possibly 75 all of these attracted because of resentment to the Agent for punishment of offenses against law and order whether it is liquor, trespass or enforcement of payment of just debt. with exception of Gauthier and perhaps McCall the ring leaders are all late comers in the tribe. As one Indian puts it, those who took their interest and money out of tribe in 1849 resided away where they made a failure, learned the tribe had gotten wealthy came back now for re-enrollment - tell how successful they were away-want land and funds divided up again to be in their way again successful so that they will again have to come back to live on us. They are all part bloods nearly white, the undesirables of the reserve, always on look out for easy money to be made without work and evidently successful.

In my years here, I have felt after each putting forth my efforts for the protection of the Indian property or interests- the added influence of the outsiders effected. While not actually having the facts in my possession about money being paid to certain ones here - I know it. I know of conferences in Shawano and here, which Mr. Tyrell has attended. It is co-incidental with Mr. Hollister's appearance on scene on or about same time. I know that these Indians have had the council of certain attorney's in Shawano who are the attorneys of the certain lumbermen effected. For instance only to day Mr. Tyrell visited Shawano met a Mr. Derosier, a part blood Menominee (not member) and received from him \$200.00 for which Tyrell in turn gave his note indorsed by some one else in Shawano who was ~~not~~ well enough known to have it taken at First National Bank, Shawano, the head official of which by the way is one of the claimants of land here and its stockholders more or less interested. The ostensible purpose of this \$200.00 is that it is to be used to send Mr. Tyrell and certain witnesses to Washington, D.C. to head off any unfavorable report. I know and there are witnesses here who know of Derosier's going to Shawano on Saturday to arrange for money. I know that on Saturday Mr. Prickett phoned Mr. Tyrell to be in Shawano to day using words to this effect. Meet me in Shawano Monday- everything all right, it will be there, and this P.M. Mr. Derosier in this office admitted he had loaned Mr. Tyrell \$200.00 on interest and admitted putting note in bank duly indorsed but said he did not know who indorsed note. The story given out is that the Indians are to repay then money to Mr. Tyrell and he in turn take up note. I have not yet examined the register of Hotel- perhaps I can get later from Bank the evidence of note if it is there and dates of conferences of past with names on register. I have felt at times the unfriendly influence of the W.& N.R.R. exerted through Indians who have always been in their seeming employ because I was instrumental in turning down a bill for several thousand dollars charges rendered covering usual wear and tear on car service on their flat cars while

engaged in hauling logs here at commencement of operation and also the cancellation of a contract which compelled the hauling annually of not less than eight million feet of logs over their road at \$1.00 per M figuring I could do it for less money and now actually do at 35¢ per M. I know when men can go round spending money who have no visible income, that some one must furnish it. I know that Hollister has in his employ the husband of a member of the tribe who has never lived here. His name is Edick. He is their foreman or Supt. I know this man's brother-in-law's members of the tribe are here- one of them Tourtillotte's was a former employee in old days at this agency but was dismissed. I know that nothing goes on here but that these people furnish information outside and have felt their influence in opposition in here. I know that all these same interests in the past have caused the sending of complaints through Senators LaFollette and Stephenson, which personal interviews on my part with office in Washington have set straight and caused every one to keep hands off. The change in administration gives them new life. Now instead of last administration influence being sought it is the present Congressman Konop's hand is plainly seen. It is announced by Indians that Oconto has as candidate who is to take charge, etc. Mr. Frechette and some Indians, Gauthier and others visited Oconto, met Mr. Konop so they announce and received his word that a change would soon take place. The name of the man is Douglass Burns. I am told a former sheriff of the county - woods cruiser, etc. Back of him I can discern the same old interests, who are always trying to get a foothold here. Oconto, Marinette, Oshkosh and Shawano Interests. But my story is no new one, around every reserve are the same pernicious interests, always striving to get at the Indians natural resources. I was not sent here in the interests of any one, but that of good administration. I was selected because of certain things I had performed in the past. It was known no one could get to me. This place prior to my coming had been a hot bed of corruption and mismanagement. That is its record. I was sent to clean up and I shall continue so to do. Under my first administration about eleven thousand dollars was compelled to be repaid to the Mills for lumber stolen and some lumbermen escaped narrowly going to jail. Work on lines such as I name is continually going on. Naturally those concerned have no love. If some one came in who would sleep on the job, how pleasant all around would be the condition. With me out they think their goal would be reached. How little they know, I have been here long enough to have acquired some real liking for the real Indian. It would be real pleasure ^{for me} to from the outside work many times harder on my own time and resources to prevent the Indian being any longer robbed by his unscrupulous red or white brother.

Respectfully submitted.

A. J. [Signature]
Superintendent.

Dec. 8th, 1913.

ASN-THE

Report of H. P. Kinney
on logging conditions

Supplementary report
of Mr. L. P. Kinney

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS. Dec. 5th, 1913.

WHITE PINE
NORWAY PINE
CASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Hon. Edward E. Ayer,
Member of Board of Indian Commissioners,
Railway Exchange Building,
Chicago, Ill.

My dear Mr. Ayer:-

I submit a report upon my examination of logging conditions on the Menominee Indian Reservation in accordance with your request and the instructions of the Commissioner of Indian Affairs.

I reached Neopit on the morning of Saturday, November 29, 1913 and after being introduced to you by Superintendent Nicholson left immediately for the woods on a logging train. The party with which I spent the day consisted of the following persons:

Mr. Philip Smith	Mr. J. Holland
Mr. D.F. Tyrrel	
Mr. A.S. Nicholson, Superintendent of the Reservation,	
Mr. Ernest J. Brigham, Supt. ofn Logging on the "	
Mr. Lincoln Crowell, Deputy Supervisor of Forests "	
Mr. Louis LaFrombois, an enrolled Menominee Indian	
Mr. Samuel LaFrombois " " "	" "
Mr. Reginald Oshkosh " " "	" "
Mr. Simon Beaupre " " "	" "
Mr. Adolph Amour " " "	" "
Mr. Paul Tebeau " " "	" "
Mr. Thomas Prickett " " "	" "
Mr. Robert Sanapaw " " "	" "
Mr. Mitchell Waukaw " " "	" "
Mr. Joseph Longley " " "	" "
Mr. Mitchell Komaneekin " " "	" "
Mr. J. P. Kinney	

The logging train was placed at the disposal of the Indians in order that they might have the fullest freedom to show us the things of which they had complained. Mr. D.F. Tyrrel, who told me his home was in Gillett, Wis. and that he practiced law there, appeared deeply interested in the examination of the works,

and apparently had held previous conferences with the Indians as to the matters complained of. He said he had been upon the Reservation before and had been over a large part of the past operations. So far as I know Mr. Tyrell was in no way the accredited representative of the Indians and was upon the reservation by the courtesy of the Superintendent; but as he manifested such interest in the matters which the Indians desired to bring to our attention, the greatest deference was shown to him in the way of an investigation of every instance of mismanagement/^{or} waste which he himself offered to show.

The logging train first ran into a spur on Sec. 17, T. 29 N. R. 14 E., half way to Camp 12 from Neopit. Here Louis Lafrombois and Mr. Tyrell took the lead in criticism of the manner in which logging was being conducted/^{and} as to the deterioration which had occurred in three white Pine logs that/² had been cut last spring or summer and had not been skidded until recently. These logs had not been peeled and the worms had worked in them. There was a difference of opinion as to the amount of damage/^{that} had been done. I asked that one log be scaled full and then scaled inside of the sap. Its full scale was 370 feet; the scale inside of sap 280 feet- a difference of 90 feet. Some of the Indians and Mr. Tryell insisted all of the sap was practically worthless as compared with the value it would have had if it had not summered on the ground. There can be no doubt that the logs had deteriorated to some extent. They should have been peeled. The explanation by Mr. Nicholson that they knew they would get the logs this winter was not satisfactory. These logs were within two miles of Neopit, ~~either~~ the trees should not have been

cut or else such supervision ~~should~~ have been exercised that they would not have been overlooked and allowed to lie through the summer, especially with the bark on.

The objection to the manner of logging was that logs which had been decked this autumn, ~~a~~ short distance from the railroad spur, should have been left on the ground and skidded directly to the track when hauling began, or skidded to the track and decked there at first. Mr. Lafrombois and Mr. Tyrell declared that there would now be a double decking expense because the logs would be sleigh hauled to the track and decked again. The distance to the nearest deck of logs was found by Mr. Crowell to be 75 paces, or 150 steps, - about 400 feet. Obviously this was a very short sleigh haul if the logs were to be again decked. To a query whether he intended to deck these logs again, Mr. Brigham replied, "Certainly not, we shall load directly to the cars from the sleighs!" When pressed as to what objection they had in view of this, Mr. Tyrell and the Indians refused to accept Brigham's statement and said it had been customary on the Neopit operation to do the duplicate decking of which they complained. Although Mr. Nicholson said it had not been the custom, the Indians insisted it had and I asked them to take us to some place where this had been done. They eagerly agreed to do this, dependence being placed upon Samuel Lafrombois to take us to one of the flagrant ~~errors~~ in this line. When we boarded the train, Samuel took us to the site of a large landing used at Camp 15 in the season of 1912-13, and declared this to be a place which showed the condemned practice. This was in the NW/SW of Sec. 10- 29-14. Careful questioning developed the fact

that Samuel had himself skidded at this old landing and that what he objected^{to} was, the unnecessary expense which had been incurred through skidding the logs for a long distance directly to the track instead of decking them where found and later sheigh-hauling to the track. That is, this landing showed exactly the oposite of what was required as exidence of the statements made by the Indians at the landing first visited. I am sure every man present realized fully when we left this place that the evidence which had been offered disproved the previous allegations. I wish to make it clear that I do not believe Samuel Lafrombois had any purpose to deceive. He had simply misunderstood the situation, and in their eagerness to find proof of their statements the others had not suffieiently inquired into that which he expected to show. Nothing further was offered through that day or on the two following days to show that the Indians had suffered any loss through mistaken ~~judgment~~ judgment on the part of the present or the former Supt. of Logging, or any Camp foreman in the decking of logs.

The Indians took us to a stick of hewn White Pine timber which had not been taken from the woods. This timber had been hewn under the Louis W. Kemnitz contract for ship timber. The stump measured 31 inches in diameter. The stick was not fully squared but had waney corners. The butt end measured 25" from face to face each way and 31" accross from each waney corner to the diagonally opposite one. The stick was 38 feet long and the top measured 23½" from face to face one way, 24" the other way, and 26" from one wane corner to another. It was submitted as an exhibit of the great loss which the Indians were suffering through the wasteful hewing and the leaving of

timber by Kemnitz. The stick bore the number 187 and other score marks which Mr. Crowell said were the private marks of Kemnitz. Mr. Crowell said the stick had been scaled and Mr. Nicholson told me it had been paid for. Since you left Neopit, I have taken great pains to ascertain whether this stick was actually scaled and paid for. I am forced to the conclusion that Mr. Nicholson was mistaken. I find that Charles Duquaine, a Menominee Indian who was scaler at Camp 15 last year declined to scale waney board Pine timber on the excuse that he did not understand how, and that Thomas Smith, a white man who was scaler at camp 14 came down to camp 15 to scale the Pine timbers as they were loaded out by Kemnitz. Under this system the stick would not be scaled unless Smith went to the woods and found it, and as this was not his duty there is little reason to believe that it was scaled. I had Mr. Smith interviewed and he said he did not remember getting the scale of any stick at Camp 15 that was not loaded out.

We found another White Pine tree which had evidently been cut by Kemnitz and had been left because it was not suitable for hewn timber. It had been peeled, was a large tree and Mr. Prickett said he had previously scaled it and found it ^{to be} 38 feet long and ^{to} contained 1430 board feet. I should judge these figures about right.

At Camp 15 on the NW/4 of 16-29-14 we found several dry Pine logs rolled up for cutting into fire wood, which contained some merchantable lumber. This was bitterly denounced. We were all agreed that some fairly good lumber could be made from two or three of the logs. They had all come from one tree. Dan Hurley, the foreman of this camp, said he had gone some distance to get this, dry wood being

uncommon in that locality. There were certainly extenuating circumstances. Mr. Reginald Oshkosh said ~~it~~ had always been customary to use Pine of this quality or better at Indian Logging camps. A certain amount of dry pine is necessary for building fires and cooking. I believe a mistake had been made but it was clearly not a matter which merited the prominence given to it. Mr. Tyrell made particular objection to the quality of hardwood which had been hauled in for wood. His remarks were in my opinion unwarranted. A cook cannot be expected to use wet or rotten wood when preparing meals for 60 or 75 men three times a day.

On the NW⁴/_{SE} of Sec. 10-29-14 we found quite a number of Pine logs left and one whole Pine tree which had not been cut into logs. These had been peeled. On the SW⁴/_{SE} of the same section 60 feet had been taken from a Pine tree for square timber. Mr. Tyrell objected to ~~the~~ great waste in slabs. As these Pine timbers were all scaled from one waney corner to another and in 16 foot lengths, through allowance for rise, and payment was received for the full log scale contents of every stick taken, including the material removed in the form of slab, the objection was entirely without force.

On the SE⁴/_{SW} of Section 10 Hemlock, Hardwood, ^{and} Pine logs had been left. The ground was low. Dan Hurley said that the logs were cut late last spring and that an unexpected loss of snow and breaking up of frost prevented the skidding of these logs in the spring. Mr. Crowell said he personally this to be the case. One Pine tree over 3 ft. at the butt and measuring 83 feet from the butt to the broken top had been felled by Kemnitz and left unsawn. No waste had yet resulted and it can be gotten this winter. It was in connection

with the discussion of the advisability of cutting such Pine as this that Mr/ Tyrrell declared most positively that such trees were growing at a high rate and that they were increasing rapidly in value each year through growth alone. He expressed the opinion that such a tree had averaged a ring of growth $1/8$ inch wide each year throughout its life. As an inspection showed 35 annual rings in the last inch of growth and as the tree was undoubtedly more than 225 years old and probably about 300, the misunderstanding of Mr. Tyrrel and the Indians as to the loss which was being occasioned through the cutting of such Pine was fully apparent. On the NE/SE of 10 and the NW/SW of 11 were unpeeled Pine logs. From one Pine felled by Kemnitz only 24 feet had been taken. The 12 foot butt log left scaled 530 feet full, and 440 feet inside of sap. The merchantable ^{top} left measured 34 feet. These logs will be gotten this winter, but I entirely agree with the Indians they should not have been left over summer in the woods.

I have made diligent inquiry as to the reason why these logs were left. Mr. Kemnitz tells me that he was not advised as to the particular sections, quarter sections or forties on which he was to cut Pine Timbers, but was told to get them in the locality of the general logging operations and to fell any Pine from which he could probably obtain hewn timbers. It seems to me it was the clear duty of the management to designate the areas from which he was to cut and that the Superintendent of Logging should have kept such check on the hewn timber operations as to have been able to pick up practically all of these Pine logs last season. As the greater part of the logs and trees left by Kemnitz because of unsuitability for waney board timbers have been peeled and practically all can be picked up this winter the loss of thousands of dollars which the Indians allege

is not apparent. However, there is abundant evidence of a lack of care. The fault is inexcusable. In my opinion the blame lies primarily upon Mr. Charles Woodcock, the former Superintendent of Logging, but I cannot excuse the Superintendent, ^{Nicholson.} Certainly the relationships of Indians and Indian Service employees on this reservation should have been such that conditions of this sort, known to many persons, should not have been permitted to continue unremedied. 5

We visited the area out from Camp 11 which was located in the NE/NW of Sec. 31 T.30 N. R.15 E. This camp was built in November 1910 after the big Evergreen firs and was used two years. Here we observed a good white pine log 18 feet long right beside the track, and only a short haul away, 2 whole trees each containing more than 60 lineal feet of merchantable length, 14 large white pine logs and 1 squared timber 40 feet in length on the SW/NE of 36-30-14. These were said to have been cut the spring of 1913 and had that appearance. They were not peeled and it will now be necessary to haul them to camp 17 about one mile distant. The SW/4 of Sec. 31-30-15 was logged in 1911. Some logs were left here and merchantable dead Pine left standing. Some of the dead Pine which was here pointed out by Mr. Tyrrel as constituting great waste had evidently been burned after an old logging operation and had been dead 10 or 15 years. In this connection it seems to me proper to observe that Mr. Tyrrel's position was quite inconsistent in that he magnified greatly the loss through worm damage to green Pine logs which had lain but a few months and yet maintained that the language of a mill man, who had told him that any Pine board which would hold together was worth sawing, must be accepted literally. Here night came upon us and we took the train to

Neopit.

On Sunday morning we again took the logging train to the woods. One or two Indians remained at Neopit and two or three others joined us including Thomas LaBelle and Mose Kitson. We first inspected a railroad fill on the SW/NE of Sec. 10-29-14. The fill was 13 feet or over, and the cut at each side of the fill about six feet. Merchantable Hemlock and Hardwood logs had been used in the fill. Mr. Tyrrel argued that un-
merchable and decayed logs which could be obtained in that locality, should have been used for the fill. Mr. Prickett said more dirt should have been used and declared the greater part of the dirt from the cut had been hauled away. Yet, he admitted he had no personal knowledge of where it had been taken or whether any actually had been hauled away. His statements in this matter were absolutely worthless as evidence. Any one at all familiar with logging road construction would appreciate the utter folly of Mr. Tyrrel's proposition that a heavy fill of this character on a main line logging road where a 50 ton locomotive was used should be built largely of unsound logs and wood trash.

On Sec. 31-30-15 near quarter corner of Sec. 30- and 31 we found a dozen good Pine logs and on the NE/NW of 31 a culvert timber. In Sec. 30 near the line of Sec. 31 were a dozen white pine logs lying in a swamp for a R.R. grade. In the NE/NW of Sec. 31, SW of camp 11 (Walter Quick, foreman) were 21 Hemlock logs and 8 Pine logs cut in 1910-1911. Between camp 11 and the Railroad track, 300 feet apart, we found 10 good quality white pine logs.

I have no doubt there were Pine logs left which I did not see and many Hemlock trees were left standing besides the logs left. Mose Kitson took us to a log and dirt railroad bridge and fill on the NW/4

of Sec. 31-30-15. Kitson said 4 men(including himself) and one team worked two days cutting and skidding logs for this fill. Mr. Peterson who had charge of this work said about 12,000 feet were put in there;only one Pine log. I am inclined to believe the fill could not have⁶ been more cheaply made. Mr. Tyreel declared that this was a locality which he had particularly in mind in his statement, that thousands of dollars worth of timber had been waster. Ia-

The logging railroad grade beyond Camp 11 as constructed in 1910 followed a small creek for about 1/2 mile through low ground. It appears that after the first year's logging was completed a cut-off was made skirting the slope of a hill. The length of the cut-off was not over 1/3 of a mile. On the cut-off it was necessary to remove loose dirt and stones a depth of 3 ft. to 8 ft. for a distance of 550 or 600 ft. The average depth of the cut was placed at 4 feet. John Peterson, Asst. Supt. of Logging said the cut-off was built in June 1912 to bring out the logs from Camp 12B located in the NE/SW of Sec. 20-30-15. This cut was shown as an exhibit of a useless expenditure of Indian funds in the relocation of a railroad grade. Mr. Peterson told me that the expense of upkeep on the old road bed was very heavy because of its location in low ground and its many curves, that the cut-off was built so as to get a good roadbed for the hauling of heavy trains of logs. He thought the expense justified. To quite an extent his explanation was plausible in view of the condition there. The cost of the cut probably was not very heavy. Supt. Nicholson remained at Neopit Sunday. He later explained that this cut-off was built as a passing track for trains. This explanation also seemed plausible. I regret to say that the conflicting explanations of Mr. Nicholson and Mr. Peterson left meⁱⁿ some doubt as to

just why the cut-off was made. As a test to Mr. Peterson's memory and as a check against his having failed to remember ~~all~~ circumstances while talking with me, I called him on the phone later and requested a restatement ~~of~~ from him as to why this cut-off was made, he gave the sole reason as the need of a better track, saying that only 5 or 6 cars could be brought over the swamp location and that they wished to bring 12 cars direct in, past ~~at~~ this point, from camp 12B. He said positively and repeatedly that the rails from the old grade were ~~re~~placed on the cut-off. I am convinced Mr. Nicholson is mistaken as to the "passing track" proposition. I am not prepared to say that the making of the new grade was an unnecessary expense.

The logs which Tom LaBelle cut on the East side of R.¹¹ in NW/SE of Sec. 32-30-15 in 1912 were hauled to a landing along side this cut-off. LaBelle used Camp 11. He said the trails beyond the cut-off and on the old circuitous grade had been taken up before that time. Mr. Tyrrel had pointed out Hemlock ties, which had been laid as a travel bed for horses used on a jammer in loading LaBell's logs, as an exhibition of waste. Mr. Tyrrel's statement that 110 of these ties were all ~~salable~~ was absurd. There was hardly a tie among them that would have met standard specifications when new and practically all, and I believe all, had been used once as shown by the spike holes. LaBelle paid \$36.00 for use of camp 11 and \$30. for use of sleighs for season 1912-13, cut 500,000 feet, hauled about 2 miles, received \$6.00 per M and cleared \$1.00 per M. These were his own statements to me.


In the SW/4 of Sec. 32-30-15 attention was directed to Cedar cut out of the logging road in 1910 and ~~left~~. Mr. Tyrrel said this was that which he had referred to in a statement he had filed. Northwest

of Camp 11 we found a 2d cut in a Pine left, it scaled full 550 feet and 380 feet inside of sap; at lower end was a 10 in. defect in heart and at top 6 in. We placed it at average of 8 inches. The tree was a wind fall, and the 2d cut very knotty. The 3d log was crotched but contained 180 feet. Another 6 foot cut which might have been taken scaled 220 feet full but had 8 in. center rot. There were also two small logs in the top, but the tree had been dead years and worms were in it long ago. It was only 20 rods from R.R. Farther along the trace was a small pile of Cedar, a Pine log and a Cedar pole 30 or 40 ft. long, close to track. Away a few rods Mr. Tyrrel reported he found a 30 foot left in a Pine from which the butt cut was taken. and Hemlock logs left. This was about 40 rods from R.R. I was talking with Mr. Prickett when he made this examination. His statement that he would make a record of any refusal on my part to go in and see timber, prompted me to record that which he reported. I accept his report without reservation.

✓ On the NE/4 of 36-30-14 was a White Pine cut and left. Hollow buttlog 12 feet long. Had it been rolled out one could crawl through it, but rim was sound and I allowed 200 feet scale; 2d log 480 feet; 3d log 480; top piece about 5 feet long allowed 140 feet. Near by was a 26 in. Norway stump only a 12 or 14 ft log taken; rest good. On NW/4 of 31 a horse jammer left. I noted boom stick broken in half, brace to this broken and one runner split; not of much value. A 16 foot Hemlock near sleigh road cited as waste I found cut from a dead tree, full scale 270 feet, actual sound material not over 50; haul to R.R. nearly 1/2 mile. Noted several Hemlock skids left, one Hemlock log scaled 180 feet.

On Monday the engine and caboose were again placed at our disposal. Mr. Holland, Mr. Smith and Mr. Nicholson did not go with us;

practically all of the Indians who went Saturday went with us and also John Warrenton, Alexander Warrenton, James Boyd and others. Mitchell Waukaw was not with us but his son was. This trip was made for the especial purpose of showing me waste observed late Sunday afternoon during the hour when I was not with the main party. Much was made of the loss in a heavy fill on a sleigh road in the NW. NE of Sec. 6-29-15. This area was logged from Camp 12~~2~~ in 1910-11 under John Peterson, then camp foreman. The greater portion of logs in this fill were said to be large white Pine of good quality. When brought there I at once recognized that nearly all of the logs were extremely punky, and insisted upon a critical inspection of every one of them. We went over them one by one and agreed whether they were worth taking to the mill or not. Objection was made by Mr. Tyrrel as to the losing of time. However, he remained and examined the logs with me and the Indians, particularly with James Boyd whom the Indians had evidently taken because he had scaled logs on the mill deck at Neopit. Boyd sued the scale rule. When we were through, of the "dozens" of "excellent" logs used for the fill, only three 16 foot logs had been agreed to be worth taking to the mill. In the second fill a few rods beyond we found only one Pine log that we agreed should have been milled and this scaled only 80 feet sound material. A white pine beside this fill and in a bad place to get scaled 440 feet full and Boyd allowed 280 feet. Just beyond a Norway beside the road scaled 100 feet, sound material. A White Pine 50 ft. from road scaled 210 feet. A broken pine on side hill on left scaled 140 feet and ⁸/100 feet. Another top scaled 40 feet. An old fallen tree near road would certainly scale out more than 500 feet of sound material.



Just beyond, 2 Norway skids which had been sawn into logs had been left. They scaled 60 feet + 60 feet + 70 feet + 80 feet = 260 feet and 110 ft. + 100 ft + 80 ft. + 60 ft. = 350 feet respectively. We found another skid of 4 logs, 12 in. at top, 16 in. at butt, and then 4 more Norway skids of 5 logs each. We then came to a bridge over a ravine. On top of the high cribs of Hemlock logs had been used two Norway stringers, one of these was 57 feet long, the other 84 feet. I believe stiff, sound stringers were necessary on this bridge.

Just beyond this and in an area almost directly west of Camp 12A and about one half mile from it we found pine logs left in the elevated drive ways which had been built for ^{the} getting of logs onto the skids. We scaled pine logs in the 1st drive as follows: 240, 300, 80, 330, 160, 100, 100, 240, and 60, i.e. 9 logs with total scale of 1530 feet, and three Norway scaling 60, 40 and 20 or a total of 130 feet. In another skid drive way we scaled as follows. White Pine 210, 40 = 250 and Norway 60, 100, 70, 120, 180, 210, 180, 140 = 1060 feet. Beyond this point there were left in a ravine White Pine 100, 70-40-70-60 = 340 feet. and Norway 180-40-180 = 400 feet. We noted one other Pine containing 210 feet. These logs were in a very rough rocky glacier moraine but I believe the leaving of them absolutely inexcusable.


I noted 12 hemlock and 2 pine skids left;

On our way into this cutting from camp 18 the later were not put in by Peterson but were the remains of old Indian Logging and were 70 ft. long.

Both in going to this Pine and returning we passed through Paul Tebeau's celebrated Cedar cutting. Hundreds of cedar logs were left here. I understand that Tebeau was given a contract to cut out the Cedar that he cut these logs in 1911-12 and got none of them out, that he then asked for another contract in 1912-13 and that the management would not permit him to go in again. I understand that the operation had furnished

his camp with all tools and supplies in order to give him an opportunity. He failed to get the cedar which he cut that winter out to the railroad grade. The next year the best interests of the operation were thought to demand the pulling up of the steel on the nearest track, the cedar was left and the management would back Tebeau no longer. If these be the facts and I have heard no one dispute them, whatever loss the Menominee Indians have suffered has been chiefly due to the default of one of the tribe, Paul Tebeau.

I believe no serious loss was suffered as to stumpage. The cedar was of only fair quality. A comparatively small proportion of it would have gone as poles if it could have been cut green. It was in the burned district of 1910. The Northwestern Cedar-men's Association Rules will not admit burned timber for cedar poles and ties. All of Tebeau's cuttings were into logs which would be used for shingles. I find from the Annual report of Neopit operation for the year ending Sept. 30, 1912 that every thousand feet of shingles manufactured, cost, including stumpage, \$2.45 per M, that the shingles sold during the same period averaged only \$1.71 per M. This shows a loss of substantially .75 per M. Thus it is clear that whatever criticism is given the management on this Tebeau cedar proposition should be for letting Mr. Tebeau undertake to cut any cedar, rather than for failing to permit ^{him} to cut more. Until shingles manufactured from this material can be sold at a profit the best interests of the Menominee Indians demand that the dead cedar in the SE/S^E of Sec. 31 and SW/SW of Sec. 32 30-15 and the NE/NE of Sec. 6 and NW/NW of Sec. 5-29-15 be left standing.



I have recited at great length the details of this three day examination. I fully realize that the reading of so long a report is even more exhausting than its preparation but the allegations of mismanagement at Neopit have been so persistently and vigorously urged that I have felt that it was best while my original field notes were available and my memory of details clear to set down in very complete form the facts as they were represented and as they were actually found. I have made frequent reference to Mr. D.F.Tyrrel. As I understand it Mr. Tyrrel was in no sense authorized to act for the Menominee Indians either as a tribe or as Individuals. He manifested deep interest in their affairs and told me the services which he had tried to render had all been gratuitous. He is an earnest, energetic man. In the three days that I was with him in the woods I became convinced that his theoretical and practical knowledge of lumbering was quite limited and the standards which he had applied for arriving at a determination of gains and losses in the lumbering business were not sound. For instance he felt a great loss had been suffered when he found burned cedar and Hemlock left standing or used for railroad fills. I have shown above that there was a loss suffered on every thousand feet of cedar brought to the mill. Let us discuss Hemlock. I find from the Neopit records that the average cost of manufacturing all kinds of lumber at Neopit from July 1, 1910 to Sept. 30, 1911 was \$10.53 without stumpage charge. The average price received for Hemlock during the period July 1 to Dec. 31, 1910 was only \$11.19. Thus in the fall of 1910 when the Evergreen fire burned millions of feet of Hemlock, there was no expectancy of receiving for stumpage and profit more than \$.66 per M, even on green Hemlock. However during that period 8,000,000 of Hemlock were cut in the face of these conditions. During the year October 1, 1911 to Sept. 30, 1912

the Menominee Mills cut 22,000,000 feet of Hemlock. The average price received for Hemlock during this period was only \$11.28 per M. If we subtract from this \$9.72 the average cost of manufacturing all species during that period we have left only \$1.56 for stumpage and profit. Clearly no great loss was suffered through the leaving of burned Hemlock in the woods. I know that other manufacturers of Hemlock in Wisconsin claimed during that period that they could not afford to pay more than \$1.00 per M for Hemlock stumpage.

I should speak of two more matters brought to my attention on these three days, we found a second squared pine timber left in the woods. This was south of Camp 14. It had been sawn into logs and skidded. Mr. Crowell told me that he examined it before skidding and found one end marked U.S. with a hammer. This indicated that it had been scaled and paid for by Mr. Kemnitz. We found a watering trough at Camp 17 dug out from a Pine log. Mr. Peterson told me it was made at Camp 12 and had now been in use three years. A trough could have been made more cheaply from plank, but the loss has been greatly exaggerated.

On Monday evening I was asked if I would go up near Askenet the next day to examine the Kemnitz cuttings in Rock Elm. I had reports which must be done and told the Indians to send two or three of their number up there to measure some logs and waste, to measure the area covered and to report to me what they found.

Simon Beaupre and Joseph Longley went. They reported in the late afternoon that they visited Sec. 5 T.29 N R 14 East. that they scaled a waste of 6270 feet of timber fit for saw timber on an area which they estimated to ^{be} 10 acres. They had not paced or measured the area. This waste was found in 19 elm tops, 2 whole elm fallen and left, and one elm

which had been notched and left and later felled by the wind. They also found 2 maples, 1 Birch and 1 Basswood fallen and left. This cutting was done in the spring of 1913 when Simon Beaupre was the forest guard in charge of the scaling of Rock Elm.

Mr. Nicholson, Mr. Crowell, and Mr. Kemnitz tell me that every Elm tree which Kemnitz falls he is expected to pay for. If he hews an Elm and does not take it he pays for it at the rate which he pays for square timber which he actually ships and if by mistake he falls an Elm which proves to be ^{so} defective that he does not hew he pays the regular stumpage rate of \$5.00 at which the Neopit operation charges itself. He also pays the regular stumpage rates on every tree of any other species that he fells or breaks down.

If any thing has been lost to the Indians through lack of proper scaling the fault lies primarily with Simon Beaupre, a Menominee Indian, whom the management entrusted with the duty of scaling all of this timber.

I have confined my remarks to the woods end of this proposition as much as possible. I am entirely satisfied that the Menominee Indians have received far higher stumpage rates through the sale of ~~their~~ Rock Elm and White Pine for hewn timbers than they possibly could have received if the trees had been cut into logs and brought to the mill or had been cut into logs and sold for saw mill purposes at private sale, auction or sealed bids, to mills outside the reservation. I have gone into this matter ~~very~~ thoroughly with the employees here and especially with Mr. Crowell. I have checked over carefully with him the comparative figures which he has prepared. There is now on file at the Neopit office sufficient data and comparisons to explode completely every allegation that has been made to the effect that the ~~white~~ White Pine and Rock Elm which

has been sold as squared timbers at Neopit could have been more profitable utilized in another form.

I have already expressed in plain terms my opinion of the amount of Pine timber which has been left in the woods¹¹ at Neopit in the last three years, especially in 1910-11 and in the loose and unbusiness like manner in which Pine timbers have been cut in the past year with the result that many logs of the highest value have been exposed to worms during the summer.

Respectfully,

J. P. Kinney
SUPERVISOR OF FORESTS.

K-TMF.



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS. Dec. 10th, 1913.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Mr. dear Mr. Ayer:-

In my report of December 5th, 1913 to you regarding the lumbering operation conducted by the Indian Service at Neopit on the Menominee Indian Reservation in Wisconsin, I gave you in detail the most faithful word picture that I could of the conditions as I actually found them during an investigation extending over the four days November 29th to December 2nd, 1913 inclusive. I thought it advisable to put into permanent form a statement of the facts as presented to us by the Indians and purposely avoided an expression of my personal opinions upon the situation, except so far as was necessary in order to give you a clear view of the "setting" of particular occurrences in the woods and of the general impression which, as it seemed to me, those occurrences would make upon any one. That is, I aimed to confine myself as much as possible to the function of a witness and to present facts from which you could draw conclusions. In compliance with your subsequent request, I shall now express briefly my own conclusions as to what I found at Neopit. I shall discuss the woods end of the operation chiefly for I have as yet had but limited opportunity to investigate conditions at the mill and I know that you were able to make a personal examination of conditions in the mill and lumber yard.

Prior to the autumn of 1910 all logging under the Act of March 28, 1908 (35 Stat.L.51) had been conducted in the area west of Neopit along the branch line of the Wisconsin Northern Railroad and in a small area near the main line of this railroad at the southern border of the reservation.

The year 1910 was one ^{of} exceptional drought and severe forest fires. In the late summer or autumn of that year a fire burned about 50,000,000 feet of timber in parts of Sections 24 and 36 of Township 30 North Range 14 East and Sections 19, 20, 29, 30 and 31 of Township 30 North Range 14 East. The larger ^{part} of this timber was white pine. It was of course recognized that the worms would seriously injure this timber if it were not logged within two years. Very late in the fall of 1910 work was begun on a logging railroad which connected with the Wisconsin Northern near the center of Section 33 T. 30 N. R. 14 E. and extended in an easterly direction to the burned area. Logging operations during the following two years were confined almost exclusively to the timber which had been burned. In the fall of 1910 three camps 11, 12A and 14 were built in the burned district. These camps directed their efforts chiefly toward the saving of the white pine which had been burned. Over 15,000,000 feet of Pine were cut and decked. As soon as the railroad could be completed in the spring of 1911 the hauling of these logs to the mill began. Fortunately no fire occurred in the summer of 1911 and the burned Pine was brought to the mill and manufactured at a satisfactory profit.

The only really serious waste of timber in the woods to which our attention was directed consisted of the white ² and Norway Pine logs which were not taken out from a part of the area logged in 1910-11. As I have said in my report of December 5th the leaving of white pine logs of the quality which we found seems entirely inexcusable, but when consideration is given to the very unusual conditions which existed there at the time, it is easy to understand how the Supt. of Logging then

in charge might have become somewhat indifferent to the aim of clean logging in his effort to make every stroke of work count in the accomplishment of the big things in hand. I do not wish to be understood as condoning or palliating the failure of the management to pick up valuable pine logs lying near the railroads and sheigh roads, but I am presenting the above facts as a reasonable explanation of why results were as we found them. It must be admitted that Mr. C.H. Woodcock, the Superintendent of Logging, worked with tremendous energy and that what ever his faults and mistakes may have been, he succeeded in bringing the logs from the Evergreen district to the Menominee Mills at Neopit at an exceptionally low figure. The cost of logs in the pond at Neopit cut during the year 1910 to 1912 inclusive in the Evergreen district, was from \$1.00 to \$2. less than the cost of logs under similar conditions at other mills in Wisconsin.

The greater portion of the timber cut in 1911-12 consisted of Hemlock (22,000,000 feet). The leaving of burned Hemlock uncut within the area of logging operations of 1910-1911 and 1911-12 was pointed out by the Indians as particularly representative of mismanagement. As I have observed in my report of Dec. 5th the hemlock market in the autumn of 1910 gave promise of a margin of only 66 cents per thousand in the manufacture of hemlock lumber and this \$.66 must cover both stumpage and profit. The amount realized for both stumpage and profit on Hemlock sold during the period Oct. 1 1911 to Sept. 30, 1912 was only \$1.56. The cost of manufacturing this lumber was not above the average cost at other mills of the same grade in the State of Wisconsin. Clearly the management made no mistake in devoting its chief energies toward the saving of Pine rather than Hemlock, and the

enormous loss, which has been alleged through the leaving of the less accessible hemlock and that of poorer quality, never, in fact, occurred.

The Cedar cut by Paul Tebeau and left in the woods was within the logging area of 1911-12. This operation looks bad. The loss in stumpage value there was not serious, but the amount expended by the Mills in "staking" the Indian contractor, Tebeau, in this fizzling attempt to cut and land cedar was a clear loss. It is hard to fix responsibility in such a case as this. I do not feel that it is just to criticise Mr. Nicholson too harshly for disastrous results which flowed from an attempt on his part to encourage an Indian in industry.

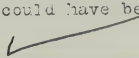
Aside from the leaving of pine, hemlock and cedar in 1910-11 and 1911-12 no evidence of waste or mismanagement of any serious consequence was presented except the leaving of unpeeled pine logs in the woods during the summer of 1913 from the square timber operation and other cutting of 1912-13. The number of such logs was not large. I should judge the whole amount thus left would not exceed 20,000 feet. At a stumpage of \$11. per M, this timber has a value of \$220. Even if these logs be given a stumpage value double this amount the value is not of great³ relative importance in connection with a lumbering plant logging 50,000,000 feet a year. I have no hesitation in asserting that the stumpage value of those particular logs for sawing into timber at Neopit, or at any other, mill was less than \$20. per M. For the sake of argument let us put the value at \$20. per M. This gives a value of \$400. to all that was left. The depreciation could not possibly be placed above 10%, or \$40. Is not this a mere bagatelle compared with the loss of time and cash which have been expended by the

Indians in an unwise and misdirected attempt to make the little hill of non-feasance appear a mountain of mal-feasance? I am sincerely thankful that the Indians observed the mistake that had been made and that they desire to direct attention to it. I cannot escape the conviction that if all of them had been perfectly honest and possessed of a really heathful public spirit the matter would have been reported to Supt. Nicholson and probably corrected. And it is but just that I should say that in my opinion more things of this character would be reported to Mr. Nicholson if his attitude toward the Indians and his employees were less reserved. If Mr. Nicholson were more approachable possibly there would be less tendency on the part of the Indians to confide their imperfect knowledge and fancied wrongs to persons having a limited and biased perspective of affairs upon the reservation.

When sifted the charges of waste and loss in connection with the cutting of white pine and rock elm timbers were found to be of little substance. The slabs taken from the pine timbers had been paid for. An exceptionally high price had been received for the Pine taken. No man with any accurate knowledge of the market value of white pine and rock elm timber in Wisconsin would think of charging that the Indians were suffering a loss through the sale of the hewn white pine and rock elm.

During the thirteen months from September 1, 1911 to Sept. 30, 1912, the Menominee Indian Mills sold 11,717,870 feet of white pine at an average price of \$24.62 per M/. I believe it fair to ^{assume} ~~assume~~ that substantially representative quantities of the different grades

that the Menominee white pine which were included in the amount then sold. That was the year when the large cut of pine made in 1910-11 was sold. The average cost of all lumber loaded in the car for shipment without stumpage was shown by the Neopit books for the year ending Sept. 30, 1912 to be \$9.72 without stumpage. This shows \$14.90 for stumpage and profit combined. The cost of manufacturing pine is somewhat less than the average for all species. Let us assume that the cost of manufacturing pine was only \$9.00. This would leave \$15.62 for stumpage and profit. The prices of white pine in general have not advanced since Sept. 30, 1912. White pine B. Select and better is quoted to day by the standard Minneapolis price list at \$72. per M for 2 in. stock. Very small quantities may be obtained by careful selection which will bring as high as \$85. when sawn in especially thick plank. However the greater part of ^{the} higher graded output of mills manufacturing northern white pine is sold as C select and better. The highest quotation on this is \$65.00 per M for 2" stock. Now the sort of timber which is taken by Mr. Kemnitz under his hewn timber contracts would not saw out more than 30% of C select and better. The other 70% would fall into lower grades and part of it would need to be sold ^{4/} in the form of sawn lumber for as low as \$35. or even \$25. per M. As the timber which was cut by Mr. Kemnitz in the spring of 1913 was sold at \$70 per M stumpage for all he took, including the slabs which he hewed off, I am at a loss to understand how any one with ordinary intelligence and sincerity of purpose can assert that the Indians suffered a loss because this pine was not brought to the mill and manufactured. Should it be suggested that the pine could have been cut into logs and sold



for manufacture outside the reservation, I venture to assert that the logs which Kemnitz took in 16 foot lengths on cars could not have been sold for \$35. per M, or one half what was received for them without the cost of logging. Furthermore the logging could not be done on this timber as cheaply as on the pine logged in 1910-11.

Let us discuss rock elm for a moment. The mill run value of the rock elm sawn into lumber and sold at Neopit in the fiscal year 1912-13 was \$18.84 per M. The average cost of manufacture during that period was \$10.16. Over two thirds of the entire cut was Hemlock, and the cost of manufacture on rock elm alone was probably at least \$11.50 per M. This leaves \$7.34 for both stumpage and profit. Careful computation at Neopit has shown that the sale value of 1000 feet B&M. rock elm at 47 cents per cu. ft. of hewn timber is \$31.82. If we deduct from this \$31.82 a charge of \$2.00 to help wipe out the book charge for railroad construction, overhead expense, etc. which must be met by all stumpage cut on the reservation, we have left \$29.82 as the actual amount per M realized for stumpage and profit on rock elm sold for hewn export timbers. That is, the net amount realized per M on the elm used for hewn timber is more than \$20. per M higher than the amount which can be realized through the manufacture of the same timber into lumber.

Hon. E.E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

Very respectfully,

J. P. Kinney
Supervisor of Forests.

JBK-TMF.



4 Kemnitz

Report of Mr. Edward E. Ayer's interview with Mr. LOUIS KEMNITZ,
of Greenbay, Wisconsin, a lumberman cutting timber on the
Wolf River, near Neopit. - December 1, 1913.

Mr. Kemnitz was a visitor at the Menominee
Indian Mill on December 1st, where he was
introduced to Mr. Ayer by the superintendent,
Mr. Nicholson. Selected from the ensuing
conversation, of a general nature, are the
following questions and answers.

Mr. Ayer: Q. How many lumber yards have you been in, Mr.
Kemnitz.

Mr. Kemnitz. A. About 40.

Mr. Ayer: Q. How do you think this yard here compares, with
most of those you have been in, in regard to
cleanliness?

Mr. Kemnitz. A. Mr. Ayer, as I said, I have been in about 40
different yards and I think this is far superior
in that respect to most of them.

Witness

Clorok Jansen
Mora Jansen

L. W. Kemnitz True By A. S.

Personally appeared before me a notary public in
and for Langlade County, State of Wisconsin L. W. Kemnitz
of Green Bay, Wis. who made oath that the foregoing
testimony is true to the best of his knowledge and belief.

Dated at Phlox, Wis. this 20 day of Jan 1914.

Mora Jansen

Notary Public, Langlade Co., Wisconsin
My commission expires Dec. 13, 1915
P. O. PHLOX, WIS.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS.

Dec. 5, 1913.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Edward E. Ayer,
Railway Exchange Bldg.
Chicago, Ill.

Dear sir:

We enclose herewith copies of Broughton's latest price lists covering Pine, Hemlock and Hardwood, as per request of Mr. A. S. Nicholson, Supt.

The first, or basis list, in each book is the one upon which we base prices received for products from this mill.

Yours very truly,

MENOMINEE INDIAN MILLS

By J. J. Newell
SALES MANAGER.

Chicago. December 5, 1913.

Mr. Peter Lookaround,

Neopit, Wisconsin.

Dear Sir:

At the direction of Mr. Edward E. Ayer
I am inclosing a copy of the report of his interview
with you, as per his promise to you.

Yours very truly,

Edward E. Ayer

By *W. J. A.*

Chicago. December 5, 1913.

Mr. Joe Gristo,

Neopit, Wisconsin.

Dear Sir:

At the direction of Mr. Edward E. Ayer

I am inclosing a copy of the report of his interview
with you, as per his promise to you.

Yours very truly,

Edward E. Ayer

By *W. J. A.*

Chicago. December 5, 1913.

Mr. Charles W. Chickeney.

Neopit, Wisconsin.

Dear Sir:

At the direction of Mr. Edward E. Ayer,
I am inclosing a copy of the report of his interview
with you, as per his promise to you.

Yours very truly,

Edward E. Ayer

By

W. J. A.

Chicago. December 5, 1913.

Mr. D. F. Tirrell,

Gillette, Wisconsin.

Dear Sir:

At the direction of Mr. Edward E. Ayer
I am inclosing copies of reports of Mr. Ayer's
interviews with Mr. Turney, Mr. LaFrambois and Mr.
Prickett.

Yours very truly,

Edward E. Ayer

By *H. J. A.*

Chicago. December 5, 1913.

Mr. C. A. Turtlehead,

Neopit, Wisconsin.

Dear Sir:

At the direction of Mr. Edward E. Ayer

I am inclosing a copy of the report of his interview
with you, as per his promise to you.

Yours very truly,

Edward E. Ayer

By

Wfa

Chicago. December 5, 1913.

Mr. F. H. Abbott, Secretary,
Board of Indian Commissioners,
Washington, D. C.

Dear Sir:

I have your letter of November 26th. The proposed change in the date for the meeting of the Board, as suggested by Chairman Vaux, is agreeable to me as I shall be in Washington on all the dates mentioned.

Yours very truly,

C. F. C.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS

B-a WASHINGTON, D. C.
Room 28, Bureau of Mines.

November 26, 1913.

Hon. Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.

Dear Commissioner Ayer:

At the request of Chairman Vaux, I am writing to ascertain whether it will be agreeable to you to have the next meeting of the Board on Thursday, Friday and Saturday, February 5, 6 and 7 or on Wednesday, Thursday and Friday, February, 4, 5 and 6, instead of on February 3, the date fixed at the last meeting of the Board. The proposed change is suggested by Chairman Vaux to meet the wishes of Commissioner Moorehead as he has a meeting ^{with} ~~of~~ other members of his family at Cincinnati on February 3d. to discuss matters of great importance to him. Chairman Vaux desires a report from the members of the Board at as early a date as possible.

Sincerely yours,

W. A. A. A. A.
Secretary.

Chicago. December 8th, 1913.

Dear Mr. Kinney:

I just finished reading your very excellent report on the affairs at Menominee Indian Reservation and I am perfectly satisfied that it ought to remain just as you have it, so that it will not be necessary to make the supplementary report that I requested of you.

I would like to ask you one question, however, the answer to be added to this report: / What percentage of the merchantable timber left in the woods in the last three years will still be able to be taken to the mill? /✓

Thanking you sincerely for your report,
I remain,

Yours very truly,

To
Mr. J. P. Kinney,
Supervisor of Forests,
Washington, D. C.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS.

Dec. 16th, 1913.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

My dear Mr. Ayer:-

Your letter of December 8th was forwarded to me from Washington and received yesterday.

The total amount of logs left in the woods at Neopit during the past three years which came to my attention would not exceed 100,000 feet. I should say that at least two thirds of this timber can be brought to the mill so as to realize a profit upon it. Thus the actual amount of these logs that cannot profitably be saved will be 25,000 to 30,000 feet board measure.

There were doubtless some logs left which I did not see, but as we covered a large part of the operations of the last three years, and traveled over large areas where all logs were picked up at the time of the original logging;; I feel that we saw nearly all of the waste.

The amount of fire killed hemlock left standing which will not be logged this year and which could have been handled at an advantage from the camps previously established would not in my judgment exceed 250,000 feet.

Respectfully,


J. McKinney
Supervisor of Forests.

Hon. E.E. Ayer,
Chicago, Ill.

JPK-TMF.



Report of A. S. Nicholson
on Railroad conditions



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS. Dec. 8th, 1913.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATHHon. Edward E. Ayer,
Chicago, Ill.

My dear Mr. Ayer:-

Your letter of December 4th regarding our Railroad shipping conditions here. I am glad you bring this subject up. Our position is briefly as follows. We are situated on the line of the Wisconsin & Northern R.R. a short independent line running from Town of Shawano, Northerly to VanOstrand, a point 4 miles North of our Reservation line with no outlet or R.R. connection there. In Shawano the W. & N.R.R. have switching arrangements with the Chicago & N.W. R.R. This road has two old engines, 2 passenger cars, a caboose and some flat cars with perhaps several box cars. It has to depend entirely on the C. & N.W. for supply of cars to handle shipments. Its freight North ^{from the south} will approximate several cars per day. Its freight out from here would average 17 to 20 cars per day. It picks up occasionally some cars from Morgan Siding below here ^{Combined with} and Gresham. Our freight service is one train daily - passenger service, two trains daily. To Neopit from Shawano 7 A.M. and 12:30 P.M. and from Neopit to Shawano 9:00 A.M. and 3:45 P.M. when on time. Passenger rates 4 cents a mile; local freight rates on same basis while through freight on lumber products we get same rate as from Wausau point and North Western line, namely 10 cents per 100 to Chicago and other points correspondingly, except to the North and North West. Our great handicap is car service. Perhaps the C & N.W. does not wish to favor this line which rumor says is ultimately destined as a feeder for the "Soo Lines" but this we

do know that many times we have taken matter of car service up with the C & N.W. agent at Green Bay and he has said that plenty of cars were turned over to this line. In cases we have known cars to be sent in and refused the W. & N. R.R. saying that they would do the ordering and not us. It seems to be their practise to scale down the number of cars we want and in cases we have known that cars were diverted to Gresham, Morgan and to Phlox intended for us. The C. & N.W. found this out themselves when they sent cars here for ties that never arrived. Their man going over the line found cars at other points. Freightage in of course is very bad. Excess freight has much to do in adding to cost of supplies. Shortage in cars necessarily results in cancellation of orders. as customers have to purchase elsewhere.

In 1911 Mr. Ashton, Vice Pres. of C. & N.W. took up matter of their road coming in here and have engineer and several others make a preliminary trip across the Reserve, A line was run starting about at Underhill thence Westerly to Keshena thern North Westerly to Neopit and North to their line. I cannot see wherely it would not be a paying proposition for the C. & N.W. as well as excellent business for us. Here is a product of millions in the rough for years to come. Manufactures to ship for the same length of time, not counting other developments. Outside of lumber, ties, posts, poles pulp wood, firewood could be shipped. Some things impossiblento handle now. Whether the line comes in from Mattoon to Neopit and thence N.E. across to Breed or as the preliminary was made. It would be good business all around. With the North Western in here we could get fair rates North - East - South and West. Save delay in shipping in and out through transfer having to be made - obtain car

car service which is the important item and prevent lost sales and send to the markets of the country some products which we are long of and now hardly pays to make but which should be a revenue producer.

While in this subject another thought is presented ^{3/} as to a handicap here. We must have cash in hand before shipment. We wire for money when car is loaded. Demurrage is due after second day. We must pay if our fault. Shipper kicks if charged to him. If reasonable credit could be given car permitted to go out, this would be over come. it isa a handicap in getting some firms to buy here. The tribe in the past has gone on record in favor of allowing the Chicago & N.W. R.R. to come in. Whatever could be done on this line, must be quietly as it is very easy for any opposition to readily get hold of members here to manufacture sentiment in opposition. The W. & MN.R.R. would certainly take a hand.—

Concerning present sales regulations - I find an amendment to law is necessary. The Act of March 28, 1909 Sec. 3 reads.

" Sec.3 That the lumber, lath, shingles, poles, posts, bolts, and pulp wood, and other marketable materials so manufactured from the timber cut upon such reservations shall be sold to the highest and best bidder for cash, after due advertisement inviting proposals and bids, under such rules and regulations as the Secretary of the Interior may prescribe. The net proceeds of the sale of such lumber and other materials shall be deposited in the Treasury of the United States to the credit of the tribe entitled to the same. Such proceeds shall bear interest at the rate of four per centum per annum, and the interest shall be used for the benefit of such Indians in such manner as the Secretary of the Interior shall prescribe."

If this wording was changed to read. Sec. 3 That the lumber, lath, shingles, poles, posts, bolts, and pulpwood, and other marketable materials so manufactured from the timber cut upon such reservations shall be sold in the open market, after due advertisement inviting proposals and bids, under such rules and regulations as the Secretary of the Interior may prescribe, etc.

This would permit of regulations to be framed that would not permit of business to be performed under conditions nearly on a par with any modern concern. The possibility of loss would be little a selected credit list could be established which would result in payment within say 10 days. Cars could then go on, knowing checks were enroute in mails, etc.

Respectfully,

A. J. Nicholson
Superintendent.

ASN-TMF.

THE MENOMINEE INDIAN MILL, a large modern plant with two band saws and a band re-saw, was built by the Government in the Fall of 1908 for the Menominee Indians, whose funds were used, and who are, therefore, the real owners of the enterprise. Lumbering operations are conducted by the Indian Service at Neopit, on the Menominee Reservation. The timber cut is White Pine, Hemlock, Rock and Soft Elm, Oak, Basswood, Birch, Maple, and Ash, all of virgin growth. Only mature timber is logged, and the cutting is done under approved methods of Forestry which insure the reproduction of the forest. The average amount of timber to be logged each year will not exceed the estimated annual growth of the whole forest, so that the Mill will not exhaust its timber supply.

CONDITIONS OF SALE are competitive. The lumber, etc., must be sold to the highest and best bidder. The stock list attached shows stock on hand ready for sale. If interested, in making bids, this procedure is recommended; after first obtaining information as to the character of the stock and the amount you wish, make your bid in the form of a letter. **TERMS OF SALE** are net cash, no discount, therefore figure your discount before you bid. It is not necessary to pay for all stock as soon as purchased, but it must be paid for when it is ordered moved, and it must be moved within thirty days after purchase, unless special arrangement has been made extending the time. **INSPECTION** is made by representatives of the buyer and seller, unless otherwise arranged. **INSPECTION AND TALLY MUST BE FINAL** at the shipping point. Bids are considered on any amount of lumber from a car-load up to the full amount offered for sale.

RATES ON LUMBER from Neopit are, as follows: to Chicago and Milwaukee 10¢; Minneapolis and St. Paul 11-1/2¢; Wausau, 9.9, for re-manufacture 7.5¢, Oshkosh 8-1/2¢; Menominee, Menasha, Appleton 8¢; Pittsburgh, Buffalo and Tonawanda 23¢; Philadelphia 26-1/2¢.

A MODERN PLANING MILL has been constructed and planing mill work can be done in any manner desired.

For further information write,

The MENOMINEE INDIAN MILLS.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS.

Dec. 8th, 1913.

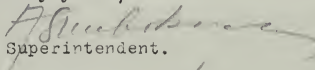
WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Hon Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

Dear Mr. Ayer:-

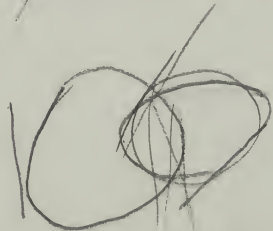
Replying to your letter of December 6th, I inclose you herewith answer of sawyer's Laporte Bros. as requested. Do not know if I can obtain Mr. Turney's he is through here and out of town, do not know just where I can get him. Our fourth sawyers address is D.C.Moyer, Hathaway, Mont. He is an excellent man, proven integrity and worth and handles same side of mill on opposite shift as Mr. Turney. His testimony might be of value.

Respectfully yours,


Superintendent.

ASN-TMF.

Inclosure Photo.



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Dec. 9, 1913.

Mr. Edward E. Ayer,
Chicago, Ill.

Dear Sir:

In reply to your question of a log 12 or 14 feet long, hollow to the extent that a man could crawl through it comfortably, with an outside shell 3" thick, being a safe log to saw.

The best answer we can make is to describe in detail the manner in which such a log is cut up on the band mill carriage. We will assume that it is a pine log for that is the only species which would warrant bringing it to the mill. It is hollow; it has rotted entirely from the inside which signifies that it stood for years as a dead tree. Probably fire burned out its decayed heart and helped to preserve its shell.

It was cut down and its fall started various splits along its length. It was sawn into saw log lengths. Probably the remainder of the tree was sawn into "scots", the lowest grade of pine which will barely hold together.

By mistake the lower hollow length was taken to and into the mill and must be disposed of. The scaler looks it over and puts it down in his record as "worthless" and very gently "kicks" it off the chain to the saw.

It goes upon the carriage. The sawyer turns it very carefully with the nigger until the thickest side is toward the saw. It

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH


E. E. A.-2.

is "lined up " on the carriage that the cut may be parallel. The sawyer concludes to get a 1x6 off the entire length. Hence, he takes off a slab with a 7" face and gives the setter a sign for 1". This will leave but one inch remaining in the thickness of the shell and he knows that he must keep the log in its tube shape until the last cut to get any value out of it but the cut breaks through in the middle of the log but runs out again at the last end. ²/

He concludes to turn the log half way round, bringing the sawn side next the dogs and takes off a slab as before. This side is not as straight as the first one and the slab cut runs into the inside and when the slab falls on the rolls half the length of the log is open so the remainder must be prepared for the slab saw as it is still too large for that machine so he attempts a cut through the center.

Half way through this cut the saw encounters one of the splits the log received in its fall and the top piece falls against the bottom thus: and also against the saw which heats at once and starts to run off the wheels.
See sketch enclosed The sawyer signals the engineer to stop.

The log is split by hand to release the saw. Result:- One cull 1x6 against the cost of getting the log to the mill, ten minutes' time sawing and handling the log carefully, seven minutes stopping and starting the mill. The scaler was right in his judgment. It was a



DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

E. E. A.-3.

worthless log. It did not pay its handling.

This experience is altogether too common, to say nothing of the danger of breaking saw; or log splitting, endangering lives of men, carriage, etc.

Respectfully,

Theo. La Porte.
Edwin La Porte

PLA/MEC.



Dear Mr. Kinney:

I want to thank
you most sincerely for the splendid
book by Robert Louis Stevenson,
"The Attitude Toward Life." I
read it last night and I shall
read it again tonight. I thank
you most sincerely. It is awfully
nice for you to think of me so
sweetly.

Yours very sincerely,

December 9, 1913.

To
Mr. J. P. Kinney,
Washington, D. C.

Chicago. December 10, 1913.

Mr. A. S. Nicholson, Supt..
Menominee Indian Mills,
Neopit, Wisconsin.

Dear Mr. Nicholson:

Mr. Ayer would like you to let
him know when you expect to arrive in Chicago so
that he will be sure to be at the office at
the time you call.

Yours very truly,

Secretary.

Dear Mr. Kinney:

In writing Mr. Ayer's letter to you yesterday, thanking you for the "Attitude Toward Life," it was a mistake on my part to have assumed that the author was Robert Louis Stevenson. This morning Mr. Ayer read the copy of this letter, noticed my blunder, and has asked me to write you this explanation.

With kindest regards,

I am,

Yours very truly,

Dec. 10, 1913.

To
Mr. J. P. Kinney,
Washington, D. C.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
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NEOPIT, WIS.

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Dec. 10, 1913.

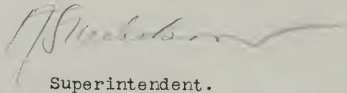
Hon. Edward E. Ayer,
Chicago, Ill.

Dear Mr. Ayer:

Replying to your letter of December 9th,
question No. 19. I inclosed you in my letter of
Dec. 8th statistics of logs cut by seasons which
gives average number of logs cut.

The grand total of this will show 983944
logs for 94799980 feet, or 10.34 logs per M.

Respectfully yours,



ASN/MEC.

Superintendent.

Dec. 11, 1913.

Sir:

In response to your oral request of Dec. 6, to our Secretary, that we place in writing the matters to which we wish to invite the attention of the Committee on Indian Affairs, we have the honor to ask that before the pending Indian bill shall be reported from your Committee to the House of Representatives, we be given an opportunity to be heard briefly by your Committee upon the following subjects:

1st. The duties and responsibilities imposed upon us by Congress and the inadequacy of the item of \$4000 estimated in the pending bill for our expenses in the exercise of those duties.

2nd. The present activities of the Board in the way of important investigations in the Indian country and studies of important questions of administrative and legislative policy now in progress.

3rd. Recommendations concerning the pending Indian bill which we are making to the Secretary of the Interior, and which, if given favorable consideration by him and by your honorable Committee will result in saving the Government more than \$200,000 by changing that amount from gratuity to re-insurable items, and will result, we believe, in sounder policies of education and civilization and greater benefit to the Indians.

When you shall have decided upon a date when it will be agreeable for your Committee to hear us on the questions herein referred to, we shall be glad if you can give us several days advance notice in order that we may arrange to have our Board suitably represented.

Yours very respectfully,

Chairman.

Hon. John H. Stephens,
Chairman, Committee on Indian Affairs,
House of Representatives,

COPY.

Neopit, Wis.


Dec. 11, 1913.

Mr. D. F. Tyrrell,
Washington,
D. C.

My dear Tyrrell:

Enclosed herewith find typewritten copy with my own attached as per your request of Dec. 9th last.

If I understand it correctly, you want me to answer the questions as I gave them at the time I had an interview with Mr. Ayer. You will note on the typewritten copy of pencil marks which means are errors of the stenographer or Ayer.

1. Q. Was he discharged?
A. I did not know, he resigned to take another place. Understand he got bigger wages.
 2. Q. Who is in his place now?
A. There is a man here now. I heard he was doing good work and trying to pick up all the logs that was left.
 3. Q. Have you had any experience with him?
A. (Down to further line about Woodcock). Now if Mr. Woodcock made money for us we would like it, but he did not.
 4. Q. What is this attorney employed by you Indians for?
A. I told him we could come to Nicholson and he'd turn us down, and we want him as our attorney during the investigation, the one that is coming.
 5. Q. Don't you think the yard here today is in good satisfactory condition?
A. (He also asked me if the yard was cleaned every two weeks and I answered No, for it never was cleaned for 2 years, and could get 50 white employees to testify to this.)
 6. Q. Are the lumbering camps kept clean?
A. I don't know.
 7. Q. Are you familiar with other loggings, in other sections of the country. Have you logged for private concerns?
A. Worked for Mr. McCord of Merrill, Wis. for 18 years. I estimated timber for him and bought on my estimation and I put it in, that is, the timber.
- 

There seems to be a question left out entirely as I remember of putting it up to Mr. Ayer explaining to him that there were too many men working both here at the Mill and the camps. This is what Ayres leaves out of the report. Now Mr. Tyrrell these answers in response to the questions asked me are about as near as I can remember of answering, they do not differ very much, as shown on the report, only that there is a lot left out.

2/ I am also sending you under seperate cover the films you asked for, which goes forward in today's mail.

Very truly yours,

(Signed) Tom Prickett.

1712
C O P Y.

Dec. 12, 1913.

Dear Mr. Secretary:

We have the honor to invite your attention to several items of legislation in the estimates for the next Indian bill, changes in which we believe would result in better administration, in benefit to the Indians and in the saving of approximately \$200,000 to the Government. The importance of these matters is such that we feel that the hearings on the bill before the House Committee on Indian Affairs should not be closed until we have had opportunity to present in detail the changes we have in mind.

In our last annual report, recently published, we invited your attention to a number of desirable changes in legislation and among them a harmonizing of Indian irrigation law, and we recommended that in the future the cost of maintenance and operation of Indian irrigation ditches should be made a charge against the lands benefited. At the last meeting of the Board on November 6th and 7th we directed our Secretary to prepare a brief concerning irrigation laws and submit it to us as a basis of subsequent recommendations to you and to Congress. This is being done and we will be prepared to suggest changes in the present estimates for the Indian bill. Among the changes suggested in the general irrigation item carrying \$345,700, which would reduce the gratuity part of that item approximately \$200,000.

Another item which we believe can be modified with resulting saving of approximately \$50,000 to the Government and advantage to the Indians is that part of the item, "industrial work and care of timber", which relates to the protection and sale of Indian timber.

There are a number of other equally important matters to which we are giving earnest consideration and concerning which we intend to make recommendations to you before another Indian bill is prepared.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

With Mr. Nicholson 12-12-1913.

Mr. Ayer: How much of the cut of the plant is sold
to the small yards direct?


Less than two million.

Then the rest is sold to the middleman?

Yes sir.

In your judgement how much do middlemen
make on that lumber?

Not less than \$2.00 a thousand.



Immaterial

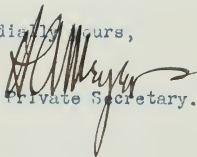
THE SECRETARY OF THE INTERIOR
WASHINGTON

December 15, 1913.

Dear Mr. Ayer:

Secretary Lane has received your letter of December 10, with a copy of your recommendations concerning the Menominee Reservation, and wishes me to thank you for them and to say that they will receive careful consideration.

Cordially yours,



Private Secretary.

Mr. Edward E. Ayer,
Chicago, Ill.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

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BIRCH
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OAK
ASH
SHINGLES
LATH

Hon. Edward S. Ayer,
Chicago, Ill.

Dec 8th 1912

Dear Mr. Ayer,

Replying to your letter of Dec 6th
herewith answer to questions 16-17-18

Respectfully

J. H. H. H. H.
Super

Chicago. December 19th, 1913.

Mr. A. S. Nicholson, Supt.,
Menominee Indian Mills,
Neopit, Wisconsin.

Dear Mr. Nicholson:

I am sending you six army pins. These pins should not be used by anyone but old soldiers who belong to a Post and in good standing. There are several Indians on the reservation, especially around Keshena, who are old soldiers and if any of them want one of these pins you can supply them. I am writing Mr. Wyeksesit that you have two of these pins for him.

Yours very truly,

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS. Dec. 8th, 1913.

WHITE PINE
NORWAY PINE
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Hon Edward E. Ayer,
Chicago, Ill.

My dear Mr. Ayer:-

Referring to your letter of December
4th, I am inclosing your answers to questions
12 to 15 as requested.

Respectfully, yours,

W. H. Nicholson
Superintendent.

ASN-TMF.

It is hard to leave the "Commander and the other one" from
our auto. trips through North Africa and come back to the cares
of every day life and answer correspondence.

We - is - He - sit has just been in. He was taken
off his feet with your letter and the remembrance. His wife
was with him. He promises to return in a few days
to make answer to his white brother in Chicago. He is
sparring for time to gather himself together.

W. H. Nicholson

Chicago. December 3, 1913.

The State Historical Society of Wisconsin,
Madison,
Wisconsin.

Gentlemen:

I am very eager to have the Society
establish a travelling library at the Menominee
Indian Reservation, Neopit, Wisconsin, and I wish
you would let me know the name of the proper
party to address.

Thanking you, I am,

Very truly yours,

W. H. W.
W.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

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December 13, 1913

My dear Mr. Ayer,

I note that in the line preceding the last on page 5 of my report of December 10, the typist failed to make a correction as I had indicated. The word assume should be substituted for the two words "assure me."

Will you kindly make the correction for me?

Very sincerely yours
Himney

Hon. E. E. Ayer,
Railway Exchange Building,
Chicago, Ill.

✓

Chicago. January 8, 1914.

Mr. J. P. Kinney,
Supervisor of Forests,
Washington, D. C.

Dear Mr. Kinney:

It looks as if I was going to have considerable opposition on my hands at Washington and I think it would be a good idea for you to send me an affidavit stating that the report you made to me in regard to conditions on the Menominee Reservation,- the long report, the supplementary report and the short summary,- was the truth to the best of your knowledge and belief. I have affidavits from Mr. Brigham and Mr. Crowell and am going to get affidavits from Mr. Holland, Mr. Smith and Mr. Nicholson.

Yours very truly,

Dear Mr. Garfield:

There is going to be more or less fighting, I think, on my report on the Menominee Indian Reservation, by outsiders whose views I know to be diametrically opposed to mine. If you would like to write to Mr. Lane and say that you met me at the opera and incedentially talked about the Menominee Reservation, and give him as good a certificate of character as you can, it might help matters a little.

I can't tell you how pleased I was to meet you and Helen again.

Very sincerely yours,

December 6, 1913.

To
Hon. James A. Garfield,
Cleveland, Ohio.

My dear Edward:

Chicago. December 6, 1913.

As an Indian Commissioner, I have been investigating the Menominee Indian Reservation, at Neopit, Wisconsin. There is going to be a fight made on my report, I am quite sure, by outside interests whose views I know are opposed to mine. Secretary Lane was very nice to me at Washington, but of course his knowledge of my character must be very limited. If you write him a letter telling him of my numerous faults, and my few virtues, it might help matters a little.

With kindest regards to Mrs. Ripley and much love for her old old man, I remain,

Your devoted friend,

December 6, 1913.

To
Mr. Edward P. Ripley,
Santa Barbara, Cal.

Chicago. January 8, 1914.

Mr. L. P. Holland,
c/o Ayer & Lord Tie Co.,
Paducah, Kentucky.

Dear Holland:

It looks as if I was going to have considerable opposition on my hands at Washington and I think it would be a good idea for you to send me an affidavit stating that the report you made to me in regard to conditions on the Menominee Reservation was the truth to the best of your knowledge and belief.

Yours very truly,

715

Recommendations for the Improvement of the Condition
of the Indians on Menominee Indian Reservation.

1. Recommend that the North-Western Railroad be permitted to build into the mill, to effect a saving in freight rates on lumber.
2. Recommend that all land in the reservation be surveyed and mapped out by townships, the timber land estimated, farming land shown, pasture land, etc.
3. That farms be allotted to Indians wishing to become farmers, the grant of the Government to be so framed as to preclude alienation within a period of 50 years from the date of grant; the land not to be subject to lien or incumbrance of any kind; the land to be granted for farming purposes exclusively.
4. That four or six of the brightest young Indians on the reservation be sent to Wisconsin State College of Agriculture, at Madison, to take a full course in Forestry and Scientific Farming, that they may come back to the reservation equipped to teach the Indians.
5. That a thousand head of cattle be put on the reservation for tribal use, to eat up the pasture now going to waste. (Hay for the winter).
6. That each Indian of the tribe be allowed \$500.00 out of their tribal funds.
In addition to that, each member desiring to take up farming, who is the head of a family, shall have \$500.00 more, to be charged to his account in the balance of the fund left in Washington.
7. That a new system of selling be devised, so as to get better prices, not have to sell at wholesale to lumber concerns, and try to get better prices from the retailers.
8. That matters presented to the Government by the Indians be accorded prompt attention.

9. That slips be given to each Indian showing the profits of the mill, annually, by the Agent.

10. That a travelling library be established at Neopit.

should have Agency Store at Neopit and small bank & connected so men can get pay checks cashed & ~~pay~~ ^{draw} checks should with branch of store at Neopit. Goods to be sold as men draw. As running store well known - Indians never here to go off the reservation too much 1700 Indians & the white ~~man~~ should be able to get checks cashed any purchase anything they want within 4 - going off reservation

Refers -

Sept 28

There should be Messing Training Department where Indians connected with the schools at Neopit & Kesheno where boys can be brought. The products of Trade & the girls could be handled & taught as recommended by Mrs. Mable in the last paragraph of her

2-16
Chicago. January 8, 1914.

Mr. C. F. Hanke,
Second Asst. Commissioner,
Office of Indian Affairs,
Washington, D. C.

Dear Mr. Hanke:

I have yours of January 2d and contents
carefully noted. I shall conform, as nearly as
practicable, to your suggestion, and I thank you
for the same.

Yours very truly,

Indian Commissioner.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

JAN -2 1914

Mr. Edward E. Ayer,

Board of Indian Commissioners,

Chicago, Illinois.

My dear Mr. Ayer:

Your letter of December 27th has been received in the absence of the Commissioner on official business.

I suggest that you have your report prepared and submitted as soon as practicable, and then you can supplement it with any statement you may desire to present when you arrive in Washington.

Very truly yours,

12-RFW-20

C. D. Hauke
Second Assistant Commissioner.

Dear Father Schwarz:

I have yours of December 16th and contents noted. I am exceedingly obliged to you for answering my questions so fully and wish to assure you that your name shall not be used at all, or any portion of your letter that can possibly be construed as coming from the Mission. I recognize your position very fully, and I want to take this opportunity to thank you most heartily, as a citizen and a Commissioner, for the splendid work the Catholic Missions have done on the Menominee Reservation.

Yours very truly,

Dear Father Engelhard:

I have your answer to my question of December 22d, and contents noted. I immediately destroyed the sheet in your letter that you requested.

I am sorry that I can't make use of yours and Father Schwarz's letter, but I recognize your positions fully and I think it would be very unwise to place you in such a position, so that I shall select without mentioning any names anything that I want, but will not give any intimation that it came from any Missionaries at all.

I cannot agree with your answer to Question 3, that we ought to give the Indians more pay than the white men, that it is theirs anyway. It is theirs, but it belongs to seventeen hundred men, women and children and we have no right to pick out a few of the tribe, say 25 or 20% and pay them more than we can get the work done for by other people. I think you recognize this as I do.

I thank you for your courtesy.

Yours very truly,

P. S.

I want to take this opportunity to thank you most heartily, as a citizen and a Commissioner, for the splendid work the Catholic Missions have done on the Menominee Reservation.

December 13th, 1913.

Dear Father Ketcham:--

I had a very interesting time at Neopit . I found the job much larger than I anticipated in going over the Menominee Reservation.

I find that the Catholic school at Kashena is paid \$108.00 for each pupil for tuition and board for the school term. On the other hand, at Neopit, while it is a day school, they do not receive anything.

While up there, I conferred with the Agent on the subject and we thought that the school ought to be paid \$30.00 to \$35.00 for each scholar attending the day school at Neopit.

If you agree with me on this subject, I would be glad to put it in the recommendations I am making for changes on the Reservation.

Yours very truly,

E. J. Hayes

Rev. Wm. H. Ketcham,

1326 New York Ave.,

Washington, D.C.

THOMAS F. RHOOP, WIS., CHAIRMAN.
FINIS J. GARRETT, TENN.
ADOLPH J. BARNETT, ILL.
JEREMIAH DONOVAN, CONN.
HARRY H. DALE, N. Y.
JOHN J. ESCH, WIS.
JAMES C. McLAUGHLIN, MICH.

House of Representatives U. S.

Committee on Expenditures on Public Buildings

Washington, D. C. 12/15/13.

Hon. Edw. E. Ayer,
Chicago, Ill.

My dear Sir:-

I am enclosing you herewith
statements from Louis L. Frombois and
Thos. Prickett relative to conversation
had with you at Neopit, Wis.

With Prickett's statement I am
sending you a copy of original
statement you sent me with
x indicating where changes or
additions have been made.

Very Resp't.

D. F. Lynell.

✓

Report of Mr. Edward E. Ayer's interview with Mr. THOMAS PRICKETT, one of the Committee appointed by the tribe, at Menominee Indian Reservation, Neopit, Wisconsin, December 1, 1913.

Mr. Ayer: Q. How long have you been connected with this plant?

Prickett. A. Ever since it was built.

Q. Are you now working?

A. No; not for the last two years.

Q. Are you an Indian?

A. Yes; not a full blood, but I am a member of the Menominee tribe.

Q. Now, in a few words, tell me what is the matter. What do you suggest as the remedy?

A. The log superintendent here was not competent to run our plant, that is Mr. Woodcock, who left here some time this Spring or summer.

Q. Was he discharged?

A. No; he resigned last Spring.

Q. Who is in his place now?

A. Brigham.

Q. Have you had any experience with him?

A. From all accounts, since he has been here he has attended to his business and I know he is trying to save money for the tribe. He is a gentleman. Now if Mr. Woodcock got money for us we would all help him.

Q. Are you familiar with other loggings, in other sections of the country. Have you logged for private concerns?

A. I worked at Merrill, Wisconsin.

Q. Is the lumbering done here on this reservation the last two years satisfactory?

A. No sir, it is not.

Q. In what respect was the logging under Mr. Woodcock bad?

A. When a man is superintendent of three or four camps he has no business in this office all the week. They hired men with no experience of sawing

logs that would make good lumber. (Here Mr. Prickett detailed an instance supposed to bear out this statement.)

At this point Mr. Ayer explained to Mr. Prickett how the plant had added to the funds at Washington during the past years \$444,000; that there had undoubtedly been mistakes made in the woods and about the mill and that our present duty here was to find out how important they were. Also that Mr. Ayer's expert had reported that the accounts were in good shape.

Mr. Ayer: X Q. What is this attorney employed by you Indians for?

Mr. Prickett: A. Well now we Indians can come up here to Mr. Nicholson but cannot get information; but Mr. Tirrell can come up here to Mr. Nicholson and he knows what we Indians want and can find out from Mr. Nicholson.

Q. Don't you think the yard here today is in good, satisfactory condition?

X A. Yes; everything is clean.

Q. Are the lumbering camps kept clean?

X A. I think they are.

Q. You would be perfectly satisfied with Mr. Nicholson if they are making good money here?

A. Yes sir; perfectly satisfied.

From New York Herald, Monday, Dec. 15, 1913.

INDIAN PROFIT BY CRUSADE MADE BY THE HERALD.

Fight For Justice and Better Protection
Has Gained Results.

Got More Money to Stamp Out
Disease.

Board of Commissioners' Report, Just
Made Public, Shows Progress
That Has Been Made.

Herald Bureau,
No. 1,502 H Street, N. W.,
Washington, D. C. Sunday.

"That the Herald's crusade for the betterment of the American Indian has borne fruit in the last year is clearly shown in the annual report of the Board of Indian Commissioners, made public today. Congress has appropriated large sums of money and the Commissioners have been working along the lines advocated by the Herald.

"One of the chief recommendations of the Herald was that Congress provide funds to halt the rapid spread of tuberculosis and trachoma among the Indians. The report commends Congress for taking notice of this need and adding:

"While the appropriation for 1913 for this purpose was only \$90,000, the Indian Bureau will have for 1914, \$300,000, an increase of about two hundred and fifty per cent."

"The Herald fought for the continuation of federal protection for the Five Civilized Tribes, charging that the loss of this arrangement sought an opportunity to seize the Indians' property. This concern is made in the report:

"The progress made in connection with the affairs of the Five Civilized Tribes is also gratifying, considering the difficulties to be overcome. The appropriation of \$250,000 in the Indian Appropriation Act for the fiscal year ending June 30, 1914, provides for practically the same force of employees as was provided last year for taking care of the affairs of the individual members of these tribes,

and apparently has permanently checked the movement in favor of eliminating from the field the federal employees engaged in protecting the individual property interest of these Indians."

"Another step advocated by the Herald was a scheme to aid the Indians in stocking their allotments with a view to becoming self-supporting. In connection with this the report says:

"We strongly commend the policy established in the appropriation of \$100,000, reimbursable, to be loaned to worthy and deserving Indians to enable them to stock and equip their allotments with a view to becoming self-supporting. This sort of help is needed by Indians, who have ample resources in the way of land fully to assured the amount advanced by the Government, but who lack the credit ordinarily extended by commercial banks to white men in similar circumstances with which to make that land productive.

"This appropriation is in the nature of a revolving fund, which may be used over and over again by Indians for the purchase of live stock and farm equipment and to repaid by them out of money earned through their own efforts, supplying the place of a commercial bank, while at the same time avoiding the pauperizing result that follows the gratuitous purchase of such equipment or live stock for them or the bestowal of other gratuities upon them without at the same time requiring them to shoulder responsibilities and giving them opportunity to learn the value of money and gain the business experience necessary to make them self-supporting."

"The Board expresses the hope that this policy of establishing revolving funds for Indians, either by direct appropriation of Congress or, where possible, by the use of tribal funds, will be continued and emphasized in the future administration of the Indian Bureau.

"Two other recommendations of the Herald are treated in the report with this comment:-

"The inclusion in the last Indian Bill of an item of \$100,000 for completing the relief and settlement of the Apache Indians, formerly confined as prisoners of war at Fort Sill Military Reservation, Oklahoma, marks the consummation of the efforts of this Board and many others, continued for many years, to remove the stigma of the title 'prisoners of war' from these people".

"Last year we recommended strongly an appropriation to carry out the treaty obligations of the Government to provide educational facilities for the Navaho Indians. We are gratified to note that Congress has appropriated \$100,000 for this purpose, as well as \$15,000 for the development of a

water supply for the people.

Neopit, Wis., Dec. 16, 1913.

Inquiry held by Hon. Edward E. Ayer, of the Board of Indian Commissioners:-

Mr. Ayer interrogating Mr. Brigham.

Q.- You were with Mr. Holland and Mr. Smith and Mr. Kinney two days that they were in the woods and with Mr. Kinney the one following day when Mr. Tyrrel was pointing out the timber to substantiate his letter and his charges about logging in these woods?

A.- I was.

Q.- Do you think Mr. Tyrrel had any practical knowledge or evinced any knowledge of conditions in logging or any knowledge of the qualities of timbers during the days that you were with him?

A.- I would say he had some knowledge but the major part of his questions and statements would indicate to me that he is not a practical logger and that his estimates on the conditions of timber left on the ground and standing burned timber were very erroneous.

Mr. Ayer interrogating Mr. Crowell.

Q.- Mr. Crowell, you were of the same party. Is that your opinion also?

A.- Yes, sir.

Q.- (To Mr. Brigham)- Did he strike you as being a man who wanted to be entirely fair and get at the true state of affairs or not?

A.- He did not.

Q.- The same with you Mr. Crowell?

A.- Yes, sir.

Q.- (To Mr. Brigham.)- Did it seem to you that he felt bound to make out a case, bound to substantiate his charges whether they would be right or wrong upon investigation?

A.- It certainly did.

Q.- Mr. Crowell?

A.- Yes, sir. It would seem he talked more for the effect that his speech would have on the Indians accompanying us than any effect on us.

Q.- Is that your opinion too, Mr. Brigham?

A.- Yes, sir.

Q.- (To Mr. Brigham.)- The territory over which these logs were scaled covered all the territory visited by you while accompanied by Mr. Tyrrel and the Indians?

A.- It did.


Q.- How much more?

A.- Twenty-five per cent. more. At least twenty-five per cent. more.

Q.- And that is your judgment, Mr. Crowell?

A.- Yes, sir. ²

Q.- I see that in your summary you say that sixty-one thousand feet out of the ninety-four thousand feet is accessible to present




year's operation. About what percentage of the thirty-three thousand feet can there be got to the mill with a reasonable profit?

A.- (By Mr. Brigham.) About thirty per cent.

Q.- That is your judgment, Mr. Crowell?

A.- Yes, sir.



Statement
Brigham and

Howell

Dated

Office of Webster Bacliger
Washington, D.C.

Dec 16-1913

BEFORE THE COMMISSIONER OF INDIAN AFFAIRS.

In re :
Administration of A.S. Nicholson, :
United States Superintendent, :
Menominee Indian Reservation, :
Wisconsin. :

Comes now D.F. Tyrrell, an attorney at law, and a resident of Gillett, Wisconsin, and for and on behalf of the members of the Menominee Tribe of Indians makes the following charges against A.S. Nicholson, Superintendent in charge of the Menominee Indian Reservation, to-wit:

1. That A.S. Nicholson has, contrary to the plain provision contained in Section 2 of the Act of March 23, 1908, (35 Stat.L.51), refused employment to members of the Menominee Tribe of Indians in connection with the logging operations, although the Indian applicants were well qualified to fill said positions, and has, contrary to the terms of the statute and the prohibition therein contained, employed large numbers of white people to fill the positions in connection with said logging operations applied for by the Indians and which employment was denied the Indians; that the wages paid the white labor in many instances has been excessive and must greater than the wages paid to Indians performing similar duties.

2. That he has retained white persons in responsible positions who have introduced liquor on the reservation and who have been intoxicated on the reservation and which facts have come to Mr. Nicholson's personal knowledge; that so far as complainant has been able to learn, Agent Nicholson has never even reprimanded the white employees so offending against the laws

of the United States, while for similar offences committed by the Indians he has caused the arrest of the Indian, his incarceration in jail pending trial and subsequent conviction.

3. That he has permitted his white subordinates and employees with his knowledge to apply vile epithets to members of the Menominee Tribe, and has failed or refused to reprimand his white agents and employees for the use of such language to the members of the tribe.

4. That he has uniformly imposed upon the Indian employees the duty of performing the more laborious, difficult and unpleasant duties in connection with the logging operations and has permitted the assignment of the white employees to the more favored positions.

5. That during his entire administration he has never investigated or inquired into the condition of the so-called "Pagan Indians", who are now and have been at various times in a destitute, pitiful and almoststarving condition, and has refused to permit them to use the refuse lumber, which has gone to waste, for the purpose of improving their dilapidated homes, many of which are unfit for habitation.

6. That he has refused to permit members of the tribe to use the refuse from the lumbering operations for fuel or for the improvement of their places, and in cases when they have taken refuse from the logging operations which was discarded as of no value, he has required them to pay for the same.

7. That he has refused to permit members of the tribe to use and consume vegetables and food products raised on the reserva-

tion farm, although said vegetables and food products were then decaying and did subsequently decay and were thrown away, said refusals being made at a time when the Indians were in need of food products, and when they were without funds with which to purchase them.

8. That he has permitted white employees on the reservation to obtain articles from the Indian warehouse at a lower price than that at which the same article has been sold to the Indian employees.

9. That he has attempted by intimidation and coercion to prevent the members of the tribe from communicating with the authorities at Washington relative to the unsatisfactory conditions existing on the reservation, and in cases where certain Indians have advanced funds with which to defray the expenses of making their complaints known to the authorities at Washington, he has caused the Indian thus advancing the funds to be discharged from his position, and in other cases has threatened to incarcerate the Indians in jail if they attempted to communicate, relative to their tribal matters, with the Secretary of the Interior or the Commissioner of Indian Affairs.

10. That under his administration the Indians have sustained a loss in their logging and lumbering operations of several hundred thousand dollars due to carelessness, mismanagement and mal-administration, and that he has knowingly and with intent to deceive the Indians, represented to the Indians in private talks and in public statements that the logging operations were now and have been throughout his administration conducted with a profit to the tribe, the said Superintendent at the time said representations were made knowing full well that said representations were false and untrue.

11. That in an attempt to show a profit in the logging and lumbering operations he has confined the cut in the woods to the choicest standing timber, and has in violation of Section 2 of the Act of March 28, 1908, supra, contracted with lumbermen for the squaring of merchantable timber and the sale of the same to them at prices far less than the same timber manufactured into lumber would have brought; that he has likewise contrary to the provisions of Section 2 of the Act of March 28, 1908, supra, contracted with certain white persons for the manufacture of laths and shingles; that he has directed the construction of branch lines of railroad into certain logging districts, at great expense to the tribe and has, before the timber then cut in said district was removed, taken up said railroad and has left the remaining timber in the woods; that large quantities of valuable timber cut in the woods have been left to decay and have become worthless; that in one place in the logging operations under his directions all white and Norway pine was cut from a burned over area and a very large quantity of valuable hemlock was left to spoil in this same area.

12. That he has refused to permit the Indians to inspect the books and records of the office and ascertain for themselves the facts with reference to said logging operations; that he has recently attempted to cover up and conceal from view the careless and incompetent administration of affairs; that recently and when it became apparent that a thorough inquiry would be made into the affairs of the Menominee Indians, pursuant to his instructions a thorough cleaning up around the mill occurred, which was the first time such a cleaning up had occurred during his administration; that

because of the refusal of certain Indian employees to cover up and conceal from view the waste in the lumbering operations around the mill, as directed so to do by their superior officers, they were, with the knowledge of the Superintendent, dismissed from their positions.

13. That his conduct towards the Indians has been so unfair, unjust, arrogant, offensive and insolent that the Indians are practically unanimous in demanding his removal from the office of Superintendent of their tribe, many of them going so far as to assert that unless he is removed and an agent who will deal fairly and justly with them is placed in charge they will be compelled to leave the reservation; that conditions are critical, the Indians being dissatisfied and restless to an alarming degree, all due to the improper conduct on the part of the Agent and the mismanagement of their affairs by him.

Complainant respectfully requests that a copy of these charges be served upon Superintendent Nicholson, and that after due notice to all parties interested said charges be investigated and fully inquired into by Your Honor, the Commissioner of Indian Affairs, or by the Assistant Commissioner of Indian Affairs, Mr. Merritt, or by some competent man to be designated by Your Honor whose ability and probity is beyond question.

Respectfully submitted,

(signed)

D.F. Tyrrell
Representing the
Menominee Indians.

1606 Morris Building,
1421 Chestnut St., Philadelphia
December 16th, 1913.

By direction of Commissioner Vaux, Chairman of the Purchasing Committee, I am submitting for your consideration copy of a proposed draft of letter to the Commissioner of Indian Affairs, recommending certain amendments in the existing printed specifications for the purchase of piece goods, clothing, overalls, shirts and tailors' trimmings for the Indian Service and also a recommendation that a new set of standard samples be purchased for the various ware-houses.

At the present time the specifications for piece goods and clothing do not conform with the standard samples. The result is that honest contractors may have honest misunderstandings of the requirements under which they are working and dishonest contractors might find a pretext in the present double standard to quibble, and even to impose deliveries upon the Government below specifications.

Very truly yours,

THAAROT
Secretary.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

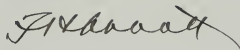
Dec. 17, 1913.

ROOM 28, BUREAU OF MINES.

Dear Commissioner Ayer:

I have your letter of December 11th asking for information concerning Webster Ballinger, an attorney of this City, and Mr. D. F. Tyrrell, an attorney of Gillette, Wisconsin. Mr. Ballinger and Mr. Tyrrell are associated as applicants for an attorneys' contract with the Menominee Indians. I was informed this morning that Mr. Tyrrell is in the City and that he has filed charges concerning the administration of affairs at Menominee. I have not learned the character of his charges beyond the intimation that he was not pleased with the investigation made under your direction.

Yours sincerely,


Secretary.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

FHA/RB.

Recd. Dec. 17 1913

Edward O Ayer
Chicago Ill

Dear sir

Just received your letter of recent date, stating you was in receipt of a letter telling you I had mortgaged some property in Marinette to raise \$200.00 to send to Mr Ballinger at Washington D. C. it seems you want to protect my interests does it not? Mr Ayer I told you once before I had a lot of respect for old age, and I tell you again. Now Mr Ayer dont you think it would have been better if you had looked up records and find out those things before you said any thing about it. Mr Ayer you made a statement

at Keshena that I had Mortgaged
property to raise money to send to Mr
Ballinger. Now you did me a
great injustice for saying things
you absolutely knew nothing about.
I gave you my hand when you
told me you was my friend, but
you have proven^d to my intire satisfaction
you are not my friend. Now if you are
my friend please let me know who
wrote you such a letter. if you want
to be my friend and want to protect
my interests, have this man Nicholson
removed at once. then we will
think you are the grandest old man
that ever lived

respectfully yours

Louis L. Lafontaine. Meopit this

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
WASHINGTON, D. C.

Dec. 17, 1913.

ROOM 28, BUREAU OF MINES.

Answer 1/22/14

Dear Commissioner Ayer:

I have just completed tentative arrangements, subject to the approval of yourself and other members of the Board interested, for a series of brief addresses by yourself, Commissioner Eliot and Commissioner Ketcham at the auditorium of the Smithsonian Institution under the auspices of the Washington Society of Engineers on the night of February 5th, the subject of the addresses to be the Indians visited by you. Dr. Joseph K. Dixon, representing Mr. Rodman Wanamaker, who has recently completed and expedition throughout the Indian country and taken some excellent pictures, some of the motion pictures, has consented, subject to the approval of Mr. Wanamaker, to show the pictures concerning the Indians to be discussed by the members of the Board on that occasion. This is the general outline of the plan which may be modified as you and other members of the Board wish. If this plan is carried forward, it is my intention especially, to urge members of the Indian Committee and others interested in Indian Affairs to be present. It will be an excellent opportunity for the Board to strike some effective blows in its own behalf. I shall be glad to have you advise me if you see any objections.

Sincerely yours,

J. P. Roan
Secretary.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

FHA/RB

Neopit, Wis., Dec. 17, 1913.

Hon. Edward E. Ayer, of the Indian Commissioners, interrogating Thomas Pricket.

Q.- There has been a question come up about the money raised by the Tribe here and given to attorneys. How much money has been raised for that purpose and given to attorneys?

A.- I have the book at the house. I couldn't say.

Q.- Will you furnish me a list of these names this afternoon?

A.- Yes, sir. Certainly.

Q.- That money was sent to Mr. Ballinger in Washington or giver to Mr. Tyrrel?

A.- No, sir.

Q.- Sent to Mr. Ballinger?

A.- Yes, sir. Two hundred fifty dollars.

Q.- You raised \$250.00 for Mr. Tyrrel?

A.- No, for Mr. Ballinger. We raised it for the investigation that is to come.


Q.- Did you expect, then, when the investigation was here to have a lawyer come here?

A.- Yes, to conduct our affairs.

Q.- Had you been promised an investigation?

A.- I think the Indian Office appointed some joint committee to investigate all the Reservations in the United States.

Q.- Who promised you?



A.- The Department.

Q.- You were in the party that went in the woods?

A.- Yes, sir.

Q.- Had you been logging in the woods?

A.- No, sir.

Q.- For what purpose did you go?

A.- Well, there has been parties here that saw timber that Mr. Kernitz left lying here cut and I was ordered by the committee to see where the logs were.

Q.- Then there is a committee appointed by the Tribe to look after these affairs?

A.- Yes, sir.

Q.- Who are the members of the committee?

A.- Mitchell Oshkenaniew, Louis LaFrombois and myself.

Q.- Just three of you?

A.- Yes.

Q.- Is Oshkenaniew still in good standing in that committee?


A.- I think so. *2*

Q.- In regard to cleaning up the mill. They commenced cleaning up when the mill was shut down?

A.- I think so.

Q.- After they shut half they commenced to clean up?

A.- Yes, sir.



Q.- When all the mill was shut down they put on a greater force?

A.- Yes, sir.

Q.- Now, you say that all of this money that was raised here was sent to Mr. Ballinger?

A.- No, sir. Mr. Tyrrel, we had to pay his expenses.

Q.- When he came up?

A.- Yes, sir.

Q.- How much did you pay him?

A.- We paid him \$125.00.

Q.- The balance of the \$250.00?

A.- The balance was sent to Mr. Ballinger.

X Q.- Do you know that ~~xxxxx~~ LaFrombois mortgaged his place and sent \$250.00 to Mr. Ballinger?

A.- No, I do not think so.

Q.- You never heard that he sent any?

A.- I think he did.

Q.- You have heard of it?

A.- Yes.

Q.- How much was that?

A.- That was \$250.00 that we raised for Mr. Ballinger.

Q.- Then you raised \$125.00 later for Mr. Tyrrel?

A.- Yes, for his expenses.

Q.- That money was raised by LaFrombois, the two hundred fifty dollars?

A.- Yes.



Q.- You do not know whether he mortgaged his place or not?

A.- No, he had no real estate to mortgage. He had friends and raised the money.

Q.- So that makes \$375.00 the Tribe has raised altogether?

A.- Yes.

Q.- When was the money sent to Mr. Ballinger?

X A.- Just before you came up the other time.

Q.- It has been supposed, Mr. Pricket, that a law firm of Tyrrel & Ballinger are attorneys before the Court of Claims for Mr. Cook in pressing his claim against the Menominee Indians before the Court of Claims. Is that true?

A.- I do not think it. ³/

Q.- What reason have you for not thinking that Mr. Tyrrel and Mr. Ballinger represent Mr. Cook in his claim for \$32,000 and \$100,000 damages before the Court of Claims in Washington?


A.- This Tyrrel would not accept his ~~xxxx~~ claim because it was turned down here before they took up them other cases. That is how I come to know it.

Q.- Has Tyrrel told you or any Indians in your presence that he had nothing to do with it?

A.- Yes, sir. He said so.

Q.- He told the Indians so in your presence?

A.- Yes, sir.




Q.- Do you think he is attorney of some of the Indian claims on the same job?

A.- Yes, sir.

Q.- You feel very sure that Mr. Tyrrel and Mr. Ballinger have nothing to do with the Cook claim before the Court in Washington?

A.- Yes, sir. I am sure.



MENOMINEE INDIAN MILLS
NEOPIT, WIS.
STATEMENT FROM OCT. 1, 1912 TO SEPT. 30, 1913.

RESOURCES.

Cash in Office	570.20	
Cash on Deposit S.D.A. a/c	26,437.23	
Cash on Deposit, Receipts	1,883,214.24	
Less Withdrawals from		
Menominee Log Fund	<u>1,452,033.30</u>	<u>431,180.94</u>
Stumpage		458,188.37
Accounts Receivable		6,263,441.48
Mills & Plant		21,638.49
Lumber, Lath, Shingles, etc.		407,717.18
Buildings		406,986.97
Furniture & Equip. in Bldgs.		75,114.30
Water Works, Heating & Sewerage Plants		4,380.98
Forest Watch Towers		16,624.47
Merchandise, Supplies & Equip.		2,371.46
Insurance, Unexpired Premiums		41,078.26
Electric Light & Telephone Systems		6,903.13
Camps, Logging Roads, Landing, R.R. & purs, etc.		11,103.69
Log Loaders, Wagons, Sleighs, etc.		24,156.97
Reservation Improvements	52,549.91	11,236.21
Reservation Expense	13,458.13	
Education of Indians	<u>125,107.59</u>	191,115.63
Farm		18,996.49
R.R. & Equipment		115,911.84
Live Stock		20,189.20
Loss Dead & Down Operations	269,695.92	
Int. on Investment Dead & Down Oper.	34,861.92	
	<u>304,557.84</u>	
Less 33 1/3% Ind. Labor D. & " "	<u>27,642.58</u>	
	<u>276,915.26</u>	
Profit on Green Timber Oper.	271,676.84	
Less Interest on Investment	<u>196,313.29</u>	
Net profit over & above	75,363.55	
Stumpage & Interest		
Plus 33 1/3% Indian Labor		
Green Timber Operation	<u>97,465.01</u>	<u>172,828.56</u>
Net Loss		<u>104,086.70</u>
		8,201,241.82

LIABILITIES.

Accounts Payable	19,870.70
Impairment a/c -Depreciation Plant,etc.	109,929.84
Impairement a/c- " Reservation Imp.	4,725.15
United States - Cash Investment	1,062,106.79
United States - Timber "	6,773,434.13
United States - Interest on Investment	<u>231,175.21</u>
	8,201,241.82

PROFIT AND LOSS

OCT. 1, 1912, to Sept. 30, 1913.

CREDIT.

Lumber	42,931.64	
Shingles	785.92	
Slats	175.86	
Ice	4.95	
Lath	14,089.93	
Pickets	71.08	
Planing Mill	5,593.14	
Rock Elm Timbers	14,114.88	
White Pine Timbers	17,898.28	
Rent - Dwellings	2,511.37	
Pulpwood	62.42	
Water taken by W. & N.R.R.Co. Engines	127.05	
Profit on Wanagan sold from Warehouse	1,055.38	
Hogs	134.93	
Interest Earnings	491.49	
Ties	873.79	
Wood - Contract	137.41	
Wood	314.34	
Bark	620.28	
Physician Account	655.66	
Refunds, Disallowance P.S. Everest, S.D.A. a/c	2.42	102,650.22

DEBIT.

Crating	204.25	
Posts	3.95	
Basswood Bolts due to flood, etc.	849.30	
Hotel	484.50	
Merchandise spoiled & condemned at Warehouse	434.23	
Exceptions to P.S. Everest a/c error 2/30/12	21.02	
Thos. McMahon - 1 Hame Strap sold a/c uncollectible	.25	
50% Burning Brush Cp. 11 - 1912 - Lbr.	180.15	2,177.65
Profit		100,472.57
Plus 33 1/3% Indian Labor Oct. 1, 1912, to Sept. 30, 1913		28,277.80
Less Interest on Investment 10/1/12 to 9/30/13		128,750.37
		45,093.32
Net Profit		83,657.05

Over and above Stumpage and Interest.

SUMMARY PROFIT AND LOSS

5%	Interest Dead & Down Operations	34,861.92	
5%	" Green Timber Oper. 11/1/09-6/30/10	29,062.94	
5%	" " " " 7/1/10-9/30/11	70,225.38	
5%	" " " " 10/1/11-9/30/12	51,931.65	
5%	" " " " 10/1/12-9/30/13	45,093.32	231,175.21

Less			
Profit on Green			
	Timber Oper. 11/1/09-6/30/10	30844.16	
"	" " 7/1/10-9/30/11	56156.15	
"	" " 10/1/11-9/30/12	84203.96	
"	" " 10/1/12-9/30/13	<u>100472.57</u>	
		271,676.84	
Loss Dead & Down Operations		<u>269,695.92</u>	<u>1,980.92</u>
			229,194.29

Less			
33 1/3%	Indian Labor Dead & Down Operations	27,642.58	
"	" Green		
	Timber Oper. 11/1/09-6/30/10	14,723.92	
"	" " 7/1/10-9/30/11	29,727.91	
"	" " 10/1/11-9/30/12	24,735.38	
"	" " 10/1/12-9/30/13	<u>28,277.80</u>	
			<u>125,107.59</u>
			104,086.70

See Note Next Page.

NOTE

Profit to Menominee Indian Tribe on
Green Timber Operations only (without
33 1/3% Indian Labor)

Stumpage on 123,265,554 Ft. Timber cut @ an average of 4.40	543,411.78
--	------------

5% Interest on capital invested together with all sums withdrawn from Menominee Log Funds less deposit of receipts returned to Treasury	196,313.29
--	------------

Profit over and above Stumpage & Interest	<u>74,788.20</u>
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Total Profit to Menominee Indian Tribe on Green Timber Operations	814,513.27
--	------------

This is assuming that Lumber, Lath, Shingles, Logs
and other products on hand are worth their cost, and the most
conservative estimate is that they are worth considerable more
than cost.

LUMBER.

Inventory Oct. 1, 1912	38,555,148 Ft.	515,482.33
Miscellaneous Exp. Insurance, etc.		13,484.23
Logs Sawed	31,103,240 Stump to Mill	148,069.03
Stumpage on Logs		84,419.95
Unloading Logs		3,555.12
Boomage		9,093.54
Manufacturing	31,840,896 Ft.	71,609.98
Yarding	"	26,038.15
Piling	"	13,366.71
Shipping	41,654,905 Ft.	57,645.18
Sales Expense	"	3,226.10

Sales	40,126,035 Ft.	617,442.46
Used In Construction	1,528,870 Ft.	15,988.43
Shortage & Diff. in Estimates, Breakage in handling, etc.,	415,159 Ft.	-----
Inventory Sept. 30, 1913	28,325,980 Ft.	355,491.05

Net Profit

42,931.64

988,921.94

988,921.94

Average Sales 15.05

Average Cost 14.01

Average Profit 1.04

LATH

Inventory Oct.1,1912	3,965,000	4,002.90	
Miscellaneous Expense, Insurance, Fire Protection, etc;		238.89	
Lath Timber 191 Cords only, balance timber refuse from saw mill		766.93	
Manufacturing	8,161,800	7,171.49	
Yarding	"	1,817.56	
Shipping	9,556.480	983.88	
Sales Expense	"	156.14	
Sales	9,475.330		26,222.11
Used in Construction	81,150		112.27
Shortage - Errors in Counting,Breakage in handling, etc.,54,370			-----
Inventory Sept.30,1913	2,515.950		2,893.34
Net Profit		<u>14,089.93</u>	
		29,227.72	29,227.72

Average Sales	2.74
Average Cost	<u>1.30</u>
Average Profit	1.44

SHINGLES.

Inventory Oct. 1, 1912	1,041,000	2,134.05
Miscellaneous Expense, Insurance, Fire Protection, etc.		75.09
Shingle Timber	721,860 Ft. Logs	5,591.10
Shingle Timber Boomage	"	204.43
Manufacturing	5,656,000	4,205.35
Yarding	"	496.37
Shipping	3,446,000	179.71
Sales Expense		28.70

Sales	3,272,500	/	7,342.36
Used in Construction	173,500		225.04
Shortage - Errors in Counting, Breakage in handling, etc.,	5,750		-----
Inventory Sept. 30, 1913	3,245,250		6,133.02
Net Profit		<u>785.92</u>	<u> </u>
		13,700.92	13,700.92

Average Sales	2.19
Average Cost	<u>1.95</u>
Average Profit.	,24

PICKETS.

Inventory Oct. 1, 1912	74,738	251.52
Miscellaneous Expense Insurance Fire Protection etc.		3.22
Manufacturing	99,492	257.80
Yarding	"	.64
Shipping	80,442	7.43
Sales Expense	"	.46

Sales	80,442	337.91
Shortage , error in counting, breakage in handling, etc.	7,312	-----
Inventory Sept. 30, 1913	86,476	254.24
Net Profit		<u>71.08</u>
	592.15	<u>592.15</u>

Average Sales	3.85
Average Cost	<u>3.04</u>
Average Profit	.81

SLATS.

Inventory Oct. 1, 1912	235,300	294.01
Miscellaneous Expense, Insurance, Fire Protection, etc.		3.70
Manufacturing	276,000	442.96
Yarding		1.94
Shipping	433,700	44.45
Sales Expense		3.23

Sales	433,700	839.16
Inventory	77,600	
Overrun accounted for by errors in counting, taking inventory or Mill Tallies	<u>8,600</u> 86,200	<u>124.99</u>
		964.15

Average Sales	1.93
Average Cost	<u>1.56</u>
Average Profit	.37

PLANING MILL

Labor	12,329.33	
Power furnished by Saw Mill	637.00	
Planing Mill supplies, misc.	719.88	
Planing Mill " Lub. & Waste	279.38	
Electric Light expense	165.46	
Depreciation water works Plant system	34.65	
" " " Fire Pump	2.22	
" " " Hose & Equip.	34.71	
" 500 ft. fire limit	15.29	
" Planing Mill Bldg. & Machinery.	203.49	
Night watch expense	58.66	
Fire Protection clean up refuse etc.	203.47	
General expense	562.50	
Insurance	352.35	
23,953,031 ft. milled & worked at various prices		22,191.53
Net Profit	<u>5,593.14</u>	
	22,191.53	22,191.53

Average Price received for milling lumber	.93
Average Cost " " " "	<u>.69</u>
Average Profit	.24

ROCK ELM TIMBERS.

Expense of Logging borne by Purchasers.

Stumpage	1,805.60
Forest Expense Saly Dept.Forest Supervisor	140.97
General Logging expense	304.78
General expense	653.28
Sales Expense	20.00

Sales	<u> </u>	<u>17,039.51</u>
	17,039.51	17,039.51

360,400 ft. sold and shipped.

Profit Per M 39.17

WHITE PINE TIMBERS.

Expense Logging Borne by Purchasers.

Trackage Paid Wis. & Nor. R.R.	3.00
Labor & Expense scaling	5.21
General expense	49.53
General Logging expense	24.35
Sales Expense	20.14
Freighting Men. Ind. R.R.	293.02
Camp 14 R.R. Branches	93.06
Stumpage	3,650.91

Sales		<u>22,037.50</u>
Net Profit	<u>17,898.28</u>	
	22,037.50	22,037.50

331.640 ft. sold and shipped

Profit per M 53.97

RENT ** DWELLINGS.

Depreciation	wells and pumps	59.48	
"	Permanent dwellings	1,534.12	
"	Tarpaper	554.58	
"	Waterworks Plant & System	57.75	
"	" " Fire pump	3.70	
"	" " Hose & Equip.	57.85	
Insurance		77.27	
Tentals			4,856.12
Net Profit		<u>2,511.37</u>	<u> </u>
		4,856.12	4,856.12

Cost of Dwellings	43,752.66
" " Repairs	3,264.16
" " Wells & Pumps & Repairs thereto	<u>986.91</u>
Investment	48,003.73

Profit of 5-3/10% per annum on investment.

POLES.

Inventory	Oct. 1, 1912	191	126.18	
Used in constructions		9		18.13
Inventory	Sept. 30, 1913	182		<u>108.05</u>
None Sold.			126.18	126.18

Used in construction charged at cost.

WATER TAKEN BY WIS. & NOR. R.R.CO. ENGINE.

Water taken by Wisconsin & Northern R.R.Co. Engines at .35¢ per day as per agreement	127.05
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Profit on Wanagan sold from Warehouse.

Profit on Wanagan goods sold to Employees at Mill plant at Neopit	1,055.38
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PULPWOOD.

Inventory Oct.1,1912	168.45
Paid for cutting	1,628.64
" " peeling	293.40
Labor & expense logging	148.31
Sales Expense	20.00

Sales		2,006.52
Inventory Sept.30,1913		315.00
Net Profit	<u>62.42</u>	<u> </u>
	2,321.52	2,321.52

Most of this pulpwood was sold and paid for in 1912, but not peeled and shipped out until 1913.

WOOD * CONTRACT.

Wood cut from brush piped at Camps 4 & 5 , 1910 Logging.

Inventory Oct. 1, 1912	1398 1/2 S. cords	1,118.80
Paid Contractors for Hauling		356.62
Labor Hauling & Delivering		271.81
Sales Expense		10.00
General Expense		5.00

Sales		1,091.86
Inventory Sept. 30, 1913.		957.96

Net Profit

287.59

2,049.82 2,049.82

Sales 546 Cords - Profit per Cord .52

Cr. to Camps 4 & 5 Burning Brush	150.18
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Cr. to Profit & Loss	<u>137.41</u>
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287.59

BASSWOOD BOLTS.

Inventory Oct. 1, 1912 (Estimated	897.84
Labor Loading	127.54
Board "	8.37
Paid Contractors for hauling	91.00
General Logging expense	3.43
Sales Expense	5.00
General Expense	6.37

Sales	290.25
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Net Loss	<u>849.30</u>
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1,139.55	1,139.55
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These were cut from old dead and down Basswood Logs left in stream and were handled at a small loss per cord. Some of these bolts went down stream in flood when dam went out in 1912.

WOOD

Inventory Oct.1,1912	531 single cds. 16"	231.00
Labor		1,756.51
Board of Teams		588.27
Blacksmith Shop (shoeing)		27.05
Depreciation Wood Yard		30.24
" Wagons & Sleighs		28.07
" Horses		79.65
" Harness		42.53
Live Stock Expense		34.63
Sales Expense		40.00
General Expense		90.68
Paid Contractors for sawing 390 cds. 4' slabs		234.00
4' Slabs sawed	390 cds @ .30	117.00

Sales	1353 single cords @ 2.22	2,988.75
Inventory Sept.30,1913	1533 single cords	613.20
Net Profit .		<u>314.54</u>
		3,601.95
		<u>3,601.95</u>

Approximately 1355 cords sold

Profit per cord is .23%

ICE.

Inventory Oct. 1, 1912.	15.00
Labor, Harvesting, etc.	208.79
Blacksmith Shop, shoeing	.60
Board of Teams v	14.75
Live Stock Expense	.16
Depreciation Ice House Bldg.	40.24
" " " " Equipment	4.91
" Horses	.28
" Harness	.11
General Expense	10.71
Labor & Expense Delivering	78.23

Sales	366.73	
Inventory Sept.30,1913	12.00	
Net Profit	<u>4.95</u>	<u> </u>
	378.73	378.73

PHYSICIAN ACCOUNT.

Inventory Drugs Oct. 1, 1912	467.49	
Labor	1,311.08	
Drugs, etc. purchased	527.48	
Board of Physician horses	20.53	
Depreciation " residence	63.40	
" " Equip.	3.50	
" " Office	13.70	
" " "	10.20	
" " Heating Plant	40.96	
" " Sewerage	11.16	
" Water works Plant & Sustem	11.55	
" " " Fire Pump	.74	
" " " Hose & Equip.	11.57	
" Wagons & Sleighs	2.10	
" Horses	2.76	
" Harness	1.09	
Live Stock Expense	1.58	
Electric Light Expense	45.72	
Insurance	3.48	
General Expense	57.95	
Long Distance Telephone Expense	.15	
Warehouse (Gasoline for Auto)	14.50	
Medical Fees Collected		4,809.05
Inventory Drugs, Sept. 30, 1913,		543.84
Death & Accident Expense	2,074.53	
Net Profit	<u>655.66</u>	
	5,352.88	5,352.88
Net Profit	655.66	
Death & Accident Expense	<u>2074.53</u>	
Total Profit	<u>2730.19</u>	

NOTE:- Death & Accident Expense incurred by the Menominee Indian Mills not including compensation injury claims paid under Act of March 11, 1912, is 140.93. Compensation injury claims paid 1934.10

BARK.

Inventory Oct.1,1912	1620.5 Cds.	4,290.22	
Paid contractors for making	1104.16 Cds.	2,759.12	
Labor Loading	998.38 "	1,772.82	
Board of Men "		33.87	
" " Loading		1.92	
Labor & Expense Scaling		125.01	
Labor Freight		77.24	
Railroad Supplies	"	4.45	
" Fuel Expense	"	85.00	
Depreciation R.R.Equip.	"	240.11	
General Expense		41.54	
General Logging Expense		20.24	
Depreciation, Harness		.40	
" " Horses		.37	
Live Stock Expense		.06	
Sales Expense		15.00	
Sales	998.38 Cds.		
Shortage	622.12 "		
	<u>1620.50</u> "		
Inventory Sept.30,1913	1104.16 Cds. @ 2.47		7,333.52
			<u>2,734.13</u>
Net Profit		<u>620.28</u>	
		10,067.65	10,067.65
Sales	7.35		
Cost	<u>6.72</u>		
Profit	.63		

998.38 Cords shipped.

Shortage is due to difference in scales when made and when shipped.

When made the scale is taken from the cubical contents and then shipped by weight 2240 lbs. to cord.

TIES

Paid contractors for making 11,738 ties	1,302.34
Labor counting, etc.	4.02
Board men "	1.56
Labor & Expense loading	158.14
Freighting	144.26
Stumpage	515.42
Sales Expense	20.00
General Expense	20.00
General Logging Expense	10.00

Sales	6,844 ties		2,286.78
Inventory	3,020 ties	@ .17 $\frac{1}{2}$	528.50
Inventory	1,874 ties	@ .12 $\frac{1}{2}$	234.25

Net Profit

873.79

3,049.53

2,049.53

Average Sales .33-2/5

Average Cost .21

Average Profit .12-2/5

NOTE:- This is a corrected statement of ties on account of error in the number of ties shipped in previous statement. 575.35 of the above profit cannot be shown or corrected on books of Menominee Indian Mills until Oct.1913 as books are closed to Sept.30,1913.

HOGS.

Purchased 19 Pigs	105.28	
Labor & Expense Penning, Moving to Camps, etc.	63.10	
Sales		270.09
Inventory 5 large pigs @ 5.54		27.70
11 small Pigs @ .50		5.50
Net Profit	<u>134.93</u>	<u> </u>
	303.29	303.29

INTEREST EARNINGS.

5% interest charged on amounts expended in building and repairing houses for Menominee Indians.	421.49
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CRATING

MADE FROM REFUSE.

Inventory Oct. 1, 1912	3,500,000 @ 1.44	5,040.00
Manufacturing	1,011,431	2,685.06
Yarding	"	167.01
Shipping	1,898,973	349.83
Miscellaneous Expense, Insurance, Fire Protection, Repacking, etc.		432.38
Sales Expense		13.86

Sales	1,898,973	4,460.71
Inventory Sept. 30/13	2,612,458 @ 1.54	4,023.18
Net Loss		<u>204.25</u>
		8,688.14
		8,688.14

Average Cost 2.46

Average Sales 2.35

Average Loss .11

HOTEL

Wood	356.86	
Depreciation Heating Plant	164.03	
" Sewerage	33.49	
" Water works Plant & system	23.10	
" 2 " Fire Pump	1.48	
" " " Hose & Equip.	23.14	
" Hotel Bldg.	414.41	
" " " equipment	163.19	
" Wells & Pump	16.18	
Night Watch expense	58.66	
Telephone expense	40.89	
Insurance	218.00	
Electric Light expense	289.22	
Labor	832.99	
Warehouse account provisions	2,556.36	
Ice	30.00	
Laundry	5.58	
General Expense	31.98	
Receipts		4,501.37
Inventory Provisions Sept.30,1913		273.69
Net Loss		<u>484.50</u>
	5,259.56	5,259.56

POSTS.

Inventory Oct.1,1912	2115	132.10
Paid for cutting & peeling	15,171	922.31
Labor & expense counting, etc.		2.07
General Expense		6.08
General Logging Expense		4.74
Stumpage		136.98

Sales	1.40		6.95
Used in construction	34		2.38
Inventory Sept.30,1913	17,112	.	1,191.00
Net Loss			<u>3.95</u>
		1,204.28	1,204.28

Average cost .0696

Average sales .0536

.0160

SUMMARY WANAGAN

CAMPS.

Inventories Oct. 1, 1912	559.84	
Transferred from Camps	288.24	
Warehouse	7,197.70	
Sales		7,234.01
Discount		70.48
Transferred to Camps.		288.24
Returned to Warehouse		784.55
Inventories Sept. 30, 1913		1,712.48
Net Profit	<u>2,043.98</u>	<u> </u>
	10,089.76	10,089.76

Profit on goods sold 38%

Profits credited to Camp accounts and R.R. Construction/

Profit on Wanagan sold by Camps.	2,043.98
" " " " W Warehouse to	
Employees of Mills & Yard.	<u>1,055.38</u>
Total	3,099.36

CAMP 14 - WANAGAN

Inventory Oct.1,1912,		
Warehouse	358.23	
Transferred from Camp 11	1,963.77	
	144.41	
Sales		2,690.39
Discount		23.05
Returned to Warehouse		300.58
Transferred to Camp 17		143.83
Net Profit	<u>691.44</u>	<u> </u>
	3,157.85	3,157.85

Profit on Goods sold 34%

Profit credited to Camp 14 Logs, Loading Logs, R.R.construction
& Burning Brush Pro-rated on basis of labor.

CAMP 4 - WANAGAN

Warehouse	440.73	
Sales		449.15
Discount		6.43
Returned to Warehouse		112.39
Net Profit	<u>127.24</u>	<u> </u>
	567.97	567.97

Profit on Goods sold 36%

Profit credited to Camp 4 Logging

CAMP 11 - BURNING BRUSH - WANAGAN

Inventory Oct.1,1912	163.64	
Sales		26.20
Transferred to Camp 14		144.41
Net Profit	<u>6.97</u>	<u> </u>
	170.61	170.61

Profit on Goods sold 36%

Profit credited to Camp 11 Burning Brush.

CAMP 15- WANAGAN

Inventory Oct.1,1912,	37.97	
Warehouse	2,725.41	
Sales		2,606.48
Discount		35.16
Goods Returned to Warehouse		308.41
Inventory Sept.30,1913		565.07
Net Profit	<u>751.74</u>	<u> </u>
	3,515.12	3,515.12

Profit on Goods sold 39%

Profit credited to Logs, Loading Logs, Burning Brush, & R.R.
Construction, pro-rated on basis of labor.

CAMP 16 - WANAGAN

Warehouse	1,482.57	
Sales		1,185.69
Discount		5.26
Returned to Warehouse		63.17
Inventory Sept.30,1913		545.75
Net Profit	<u>317.30</u>	<u> </u>
	1,799.87	1,799.87

Profit on Goods sold 36%

Profit credited to Logs, Loading logs, Building & Burning Brush,
pro-rated on basis of Labor

CAMP 17 - WANAGAN

Transferred from Camp 14	143.83	
Warehouse	585.22	
Sales		276.10
Discount		.58
Inventory Sept.,30,1913		601.66
Net Profit	<u>149.29</u>	<u> </u>
	878.34	878.34

Profit on Goods sold 33%

Profit credited to Logs, Loading Logs, Building, Landings &
R.R.Branches, pro-rated on basis of Labor.

Letter from Father Simon Schwarz - page 3.

This, dear Mr. Ayer, is my opinion about the matter you asked me, and I think I answered your questions truthfully. Of course, you are at liberty to use or to repeat any or all suggestions made as you deem fit.

However, if you should choose to make use of any suggestion in this writing I would ask you the favor not to publish my name or use it in any public document. The reason why I ask this is not because what I said is not true or could not be substantiated, but because I have to work among these Indians and they are very suspicious and revengeful if anyone says a word they do not like. The only thing the Menominee Indians now desire is to get lots of money - all if possible, and to spend it as they please, and anyone telling them that this would not be for their own best interest, is looked upon as an enemy and a cheater.

Wishing with all my heart that your efforts to adjust this problem, how to help the Menominee Indians, may turn out to their real and lasting benefit, I beg to remain,


Respectfully yours,

Simon Schwarz.

P. S.

Since writing above letter I learned that the Indians are not at all well disposed in regard to the effort you make to help them. They are very bitter against Mr. Nicholson, and because you did not denounce Mr. Nicholson as a thief, who robbed the Indians, but spoke well of his work on the Reservation, they are displeased and suspicious even of your words and motives. So it has ever been, true friends, because telling unpleasant truths are turned down, but flatterers are believed and trusted, even if they seek only their own interest.

Letter from Father Schwarz

St. Joseph's Indian Industrial School, Keshena, Wis. 

Day 18th 1913.

Honorable Edward E. Ulysses,

Railway Exchange, Chicago, Ill.

Dear Sir

Complying with your request, I will answer the questions you asked and state what I think would be the best for the Menominee Indians.

I have been among the Menominee Indians at Keshena for 17 years, for 15 years I had charge of the Missions at Little Atono and Kinsburg and for two years I have now charge of Keshena, so I know a little of their lives habits and conditions.

I do not know of any case of abject suffering among the sick or old or poor, or that they were not helped, when in real need, either by their neighbors, or were refused help by the agent. There are of course sick people and poor people as everywhere, but the former received rations when old or unable to work and the others were taken to the hospital, if they could be induced to go there. I do not know of any case that a sick person was refused admission to the hospital if the circumstances demand it.

As regards Tuberculosis and Trachoma I must say that there have always been cases of both, whether they are on the increase or not I do not know, as in former years the disease was not tabulated so carefully as now. If the death record among the Catholic Indians shows anything, it shows that the health of the tribe in late years is better than ever before.

Also in regard to intemperance in drinking quite a change & the latter has come the last 5 years or so. It happens now rarely that an Indian is found drunk on the reservation. It does occur of course now and then, but never goes unpunished if found out. However if

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instead of being reported to Milwaukee to serve this time, drunkards would be made to serve their sentence on the reservation, either improving the roads or clearing land, I think it would be better, especially in the case of married men. The real hardships of the punishment in such cases falls on the family of the drunkard and his wife is exposed to great moral dangers during the absence of the husband.

In regard to the mill at Neopit I must say, as far as I can see, that it has been a benefit to many Indians, as it gave them work, and several Indians have done very well. They have now decent houses, and are working steadily and are making a fair livelihood and are in every way better situated than they were before the mill was built.

I think too that every Indian who was willing to work and find work and if he proved steady and competent, was paid fair wages. The complaint about the mill since its erection was, that it takes all the Indian money and was not making any for the Indians. Of course the construction of the plant was a great expense, but if managed properly it would be bound to make money and return a fair profit on the investment. Perhaps a private concern could run it cheaper, not having to employ such a large office force, and not being obliged to make so many exceptions in employing men and being so restrained in disposing of the lumber.

And now as to the farming proposition. I am convinced that farming would indeed be the salvation of the Indian and the only way to civilize him eventually. However the steady work on a farm is not to his liking and he is easily discouraged, if he cannot get the result of his labor right away.

I think that, allotting to every Indian, who is willing to farm, 80 or 120 acres, to be his permanent home and to advance him the money for improving the same, would be a step in the

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in the right direction to solve the Indian problem and make him self-supporting. The condition, though, of getting additional assistance should be: making new improvements, pay, for every acre of land cleared and cultivated advance \$20⁰⁰ or value thereof in implements, seed etc.; this to be charged to his balance. Also that a certain number of horses and cattle be maintained and food for same raised and stored on the premises.

The officer to look after this work should have authority to compel them to work on the farm, otherwise nothing will come of all the regulations.

It would be good policy and I think necessary to advance them money for the work they do on the farm, until they would have 40 acres or so under plow, because otherwise they are obliged to work away from home to get the necessary subsistence and no improvement is possible.

The old, sick and disabled to work would have to be supported as now by rations and annuity. Those working at the mill or at a trade might get help for building a house or making improvements on same, but those able to work, should be made to work in order to get the use of their own money. I know this seems unjust, as the money belongs to the Indians, yet if he can get it without work and spend it as he pleases, the result will be, that the Indian will ever remain only a consumer and never a producer, and when his subsistence is all wasted, he will be a charge to the poorhouse. Actual conditions and the experience of many years, I think, are proof enough, that money obtained without work is a curse, not a blessing for the Indian. The big child that he is, he does not look ahead for tomorrow, but only what he needs to day, and so he wastes his ready money for whatever strikes his fancy or tickles his passion, and thus he grows up improvident and careless, and finishes as the poor

Indian we know to day. He will have a good time for a day or two, and for the rest of the year he is in need and misery.

This, dear Mr. Ayer, is my opinion about the matter you asked me, and I think I answered your questions truthfully. Of course you are at liberty to use or to reject any or all suggestions made as you deem fit.

However, if you should choose to make use of any suggestion in this writing, I would ask you the favor, not to publish my name or use it in any public document. The reason why I ask this, is not because what I said is not true or could not be substantiated, but because I have to work among these Indians, and they are very suspicious and revengeful if any one says a word, they do not like. The only thing the Menominee Indians now desire is to get lots of money - all if possible - and to spend it as they please, and anyone telling them ^{that} this would not be for their own best interest, is looked upon as an enemy and a cheat.

Wishing with all my heart, that your efforts to adjust the problem, how to help the Menominee Indians, may soon turn out to their real and lasting benefit,

I beg to remain

respectfully yours.

Simon Schwarz.

P.S. Since writing above letter I learned, that the Indians are not at all well disposed in regard to the effort you make to help them.

They are very bitter against Mr. Nicholson, and because you did not denounce Mr. Nicholson as a thief, who robbed the Indians, but spoke well of his work on the reservation, they are displeased and suspicious even of your words and motives. So it has ever been, true friends, because telling unpleasant truths are turned down, but flattery are believed and trusted, even if they seek only their own interest.

Chicago. December 19, 1913.

My dear Friend:

I have your letter of December 15th
and I thank you sincerely. I am sending Mr.
Nicholson six army buttons and he will give two
of them to you. If any of your friends who were
in the army lose one Mr. Nicholson will be able
to supply them.

Very truly yours,

Mr. Wykeskit,
c/o Mr. A. S. Nicholson,
Neopit, Wisconsin.

Letter from Dr. Engelhard
Receipt

MD

12

Wesley, W.; Feb. 22. 1913

My dear Mr. Edward Ayer:—

Just now received your letter, which should have been delivered to me last week. Through neglect it has not been done until this afternoon and now I will answer it at once.

In answer to question No. 1. — I would say that although it is not more than right and just to be recompensed for the schooling of each tribal child, yet I rather would be without a recompensation, because it will create only bitter feelings among the Indians. You know, my dear Mr. Ayer this school money question with regard to our Mission schools is brought up every year by our Agent Mr. Nicholson in council. He explains it and makes them understand that the money for the catholic school is taken from their annuity, which creates so much bitter feelings towards Church and School. That is the reason, which prompts me not to apply for it.

If the Government, however, would help in another way, for instance in granting the lights free, furnishing books for a library etc, would be highly appreciated.

In answer to question No. 2 I say: - Yes! The mill has been a very good thing for them. All who desire to work, may work. And experience shows that ~~many~~ the Indian can work and many have proved to be good labourers. The Indian Department however must see that able men are placed at the head of the operation.

To No. 3 I would answer that those Indians who are willing to make a farm should be helped. Those who wish to stay in the mill should be assisted in getting good living houses. And since the money is theirs I would suggest to give the Indian higher wages than the white man who is employed by the Government. Thus the Indians will have an enticement to work. Amenity is not good for them.

They depend so much on it ^{and} consequently
 they do not work. Give him better wages
^{and} the Indian will work. For the old
 people's proper care should be taken.

I hope I have answered those questions
 to your satisfaction. This information
 is only given for your own person, but
 you may make use of it; not publishing
 my name.

I am working for the betterment
 of our Indians, to make good citizens of
 them ^{and} children of God.

Wishing you the choicest blessings for
 Christmas ^{and} a happy New Year

I am sincerely yours

Rev. Dr. Engelhard

Hoofpit, Wis.



Letter from Rev. Fr. Engelhard, to Mr. Edward E. Ayer, dated Neopit, Wisconsin, December 22, 1913, regarding the affairs on the Menominee Indian Reservation.

Neopit, Wis. Dec. 22, 1913.

My dear Mr. Edward Ayer:

Just now received your letter, which should have been delivered to me last week. Through neglect it has not been done until this afternoon and now I will answer it at once.

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No. 3. I would answer that those Indians who are willing to make a farm should be helped. Those who wish to stay in the mill should be assisted in getting good living houses. And since the money is theirs I would suggest to give the Indian higher wages than the white man who is employed by the Government. Thus the Indians will have an enticement to work. Annuity is not good for them. They depend too much on it and consequently they do not work. Give him better wages and the Indian will work. For the old people proper care should be taken.

I hope I have answered these questions to your satisfaction. This information is only given for your own person, but you make use of it; not publishing my name. I am working for the betterment of our Indians; to make good citizens of them and children of God. Wishing you the choicest blessings for Christmas and a Happy New Year, I am,

Sincerely yours,

Rev. Fr. Engelhard,
Neopit, Wis.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Dec. 22, 1913.

Hon. Edward E. Ayer,

Chicago, Ill.

Dear Sir:

Replying to your letter of Dec. 19th, I inclose you herewith a map of logging showing cut district by years in various colors. I have marked on line of our R. R. in thin red ink line route taken by party headed by Mr. Holland.

It is well to understand the problem confronting us at end of summer 1910. Prior to this we had been cutting west of Neopit. In the summer of 1910 occurred the big fire North Easterly from Neopit, over sixty million feet of timber being burned, a large per cent. of which was pine. There was no way of getting it to the Mill. We had to go to Washington for legislation to build R. R.

There were no roads through. We started to work Oct., 1910, to build camps, cut a right of way over to this district and log the timber.

Early in 1911 bill passed permitting R. R. to be built. We started at point ~~X~~ on map and built R. R. over to burned district and on June 14, 1911, hauled first load.

It was a question this year of saving the most valuable stuff. We logged during year 1911 and 1912 on sites of Camp 11,

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

E.E.A.-2.

12 and 14. During this time we had to pay trackage charge of sixty cents a loaded car to the W. & N. R. R., which was about twenty cents per M. I asked the Department for permission to extend R. R. into Neopit direct to save this charge and finally received permission to build and last winter, end of December, 1912, the first logs came in over this road straight to Neopit, from Camps 14, 15 and 16. Camps 11 and 12 had finished their cutting Northerly. Of course, in view of this fact, nothing could be done during this summer. Nothing could be done except log along line of the R. R.

Mr. Brigham and Mr. Crowell, under my instructions, went over every part of past operations on line of our R. R., skirted logging districts of 1910, 1911, 1912 and this past year, with instructions to scale everything merchantable, locate the forties same were on, and whether same could come to mill or not.

It is well to bear in mind the fact that where square timber men made last winter they received permission to cut along line of the R. R. into Neopit, so that we could pick up behind them as we came along. Such logs as were found were in main on edge of cuttings, where they can be taken in in present work.

2/ Another thing that should be considered is that on June 30th I lost service of logging superintendent. He was suddenly

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

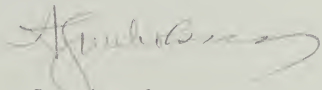
E.E.A.-3.

taken ill and had to be taken to hospital, Milwaukee, where a serious operation was performed, he hovering between life and death for weeks. He finally resigned from service altogether at end of July. Washington did not send me new man until Oct. 9th although I took matter of successor up with them at once.

You can understand what this delay and change meant also. I had to carry on the work alone and necessarily it perhaps dragged a little, helped also by the extraordinary shortage of the labor situation for year past.

In spite of everything I am confident that our woods are as well cut, well cleaned up as can be reasonably expected. I mention the above incidents as it would not be fair to both logging superintendents to criticise them. The old one had his own plans and Mr. Brigham came on the job some time after the other left without really knowing what was on his mind for future plans.

Respectfully,



Superintendent.

ASN/MEC.



December 22nd, 1913.

Dear Mr. Abbott:--

I herewith return, with my approval, the Chicago specifications.

Yours very truly,

Edmund Z. Ayer

Copy of telegram

D

December 23, 1913.

Secretary to Senator Robert LaFollette,

Washington, D. C.

If the Senator is going to be west for the holidays
wish you would write me, as I would like to see him.

Edward E. Ayer.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM D. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
SAMUEL A. ELIOT, BOSTON, MASS.
FRANK KNOX, MANCHESTER, N. H.
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WILLIAM H. KETCHAM, WASHINGTON, D. C.
DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR

BOARD OF INDIAN COMMISSIONERS

BUREAU OF MINES BUILDING

WASHINGTON

Answered 1/2/13
December 23, 1913.

Dear Commissioner Ayer:

You will be interested to learn that I have just been advised by the Secretary of the Interior that the President, yesterday, signed the commission of Honorable Isidore B. Dockweiler, of Los Angeles, as a member of the Board of Indian Commissioners, and that Mr. Dockweiler's commission has been sent to him today.

I am communicating with Mr. Dockweiler and giving him information concerning the work of the Board.

Sincerely yours,

F. H. Abbott
Secretary.

Honorable Edward F. Ayer,
Railway Exchange Building,
Chicago, Ill.

FHA-JC.

December 26th, 1913.

Dear Mr. Abbott:--

I have yours of December 17th and 23rd. In regard to the members of the Board giving brief addresses in reference to their work in the investigations: I shall be very glad to do anything that the Board wishes to have done.

I am very glad that the President has appointed Honorable Isidore B. Dockweiler a Commissioner. I shall be very much pleased to meet him at the first opportunity.

Yours very truly,

Edward E. Ayer

Mr. F. H. Abbott,
Secretary, Board of Indian Commissioners,
Room 28, Bureau of Mines,
Washington, D.C.

December 26th, 1913.

Dear Mr. Abbott:--

I have yours of December 17th and 23rd. In regard to the

GEORGE VAUX JR., PHILADELPHIA, PA., CHAIRMAN
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FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR

BOARD OF INDIAN COMMISSIONERS

BUREAU OF MINES BUILDING

WASHINGTON

December 26, 1913.

Room 28, Bureau of Mines.

Dear Commissioner Ayer:

At the risk of overburdening you at a time when I know you are absorbed with your Menominee report, I am sending you herewith the brief on irrigation legislation prepared in response to a resolution of the Board, introduced by you. I am also enclosing a more brief, but similar analysis on Indian timber matters. You will note that definite legislation is recommended in connection with both Indian irrigation and Indian timber. I am also enclosing a proposed draft of letter addressed to the Secretary of the Interior to accompany the briefs and recommended legislation in event the Board approves. It perhaps is unnecessary for me to say that if the Board follows the proposed course it will be taking advanced ground and advocating legislation which has no precedent in existing law.

These studies have been the most interesting I have ever made in connection with Indian affairs and I believe the results, if the course recommended is taken, will be most far reaching and helpful in establishing the permanency of our Board as a dominating factor in determining ultimate constructive policy of Indian legislation and administration.

If you have time to read these papers, I should be very glad indeed to have you make any suggestions of change which you think should be made in any of them. On account of the amount of typewriting involved and the difficulty of having them copied accurately, so much being of a statistical character, I have only three completed copies of these papers. I should be glad to have you return the same to me when you are through with them in order that I may send them on to other members of the Board for examination.

The data, of which you wanted a copy, when completed, for the Newberry Library, has all been secured

Hon. Edward E. Ayer -----2

from the Indian Office and will be copied as soon as my stenographer can reach it. This data has been useful in preparing the briefs on Indian irrigation and timber.

Sincerely yours,

Trabant
Secretary.

Hon. Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.

FHA/RB

December 26, 1913.

Room 28, Bureau of Mines.

Dear Commissioner Moorehead:

I have your letter of December 22nd, regarding the Jicarilla Apaches and the White Earth situation.

Commissioner Sells informed me yesterday that he had received a recent complete report from Superintendent Green of the Jicarilla Agency to the effect that there is no want or suffering or starvation and that the reports to that effect are without foundation. He also informed me that in order to guard against the possibility of suffering from want of food, he had issued an authority to the Superintendent for funds and had given him instructions to use such funds for the purchase of necessary food to relieve any distress which might occur in the future.

In accordance with the suggestion in the closing paragraph of your letter, I shall make a note so that the White Earth situation may be brought to the attention of the Board at the time of its next meeting in February.

Sincerely yours,

(Signed) F. W. Allen
Secretary.

Hon. Warren K. Moorehead,
Andover, Mass.

FHA/RE.

From Wash. Post, Dec. 28, 1913.

COURT HELPS INDIANS.

Bandemen Must Pay Miners
Robbed of Lands.

Sells pushes reform work

Commissioner Announces Appointment of
Five Additional Probate Attorneys
to look after interests of children
in Oklahoma - Starts for Conference
at Muskogee - Prison for Violators
of Law.

"The appointment of five additional probate attorneys to take up the reform work instituted by the Indian Office in connection with the protection of the property rights of Indian children was announced from the Interior Department yesterday. Commissioner Cato Sells has called a conference of attorneys, file agents, and county probate judges to convene in Muskogee, Okla., January 3, to consider further steps in the program of reformation of laws and practices.

Holds Bandemen Liable.

"The Indian Office yesterday received a ruling made public by a county judge in Oklahoma that will be used as a basis for a campaign to secure restitution to the Indian miners where their property was sold at an unreasonably low price. The decision held guardians and their bandemen responsible for the difference in price where the property of an Indian miner had been sold at grossly inadequate figures.

"The probate attorneys appointed yesterday, all in Oklahoma, are Houston B. Teehee, Tahlequah; E. F. Parks, Vinita; John P. Boyd, Tulsa; James L. Hale, Poteau, and Louis A. Ledbetter, Isabel.

Prison Cells for Violators.

"The meeting in Muskogee will be the beginning of an aggressive effort to secure reforms," said Commissioner Sells. "If it is possible to do so some of the violators of the law will be sent to the penitentiary."

"Commissioner Sells left last night for Denver, where he will have a conference December 30 with special officers of the Indian Service."

NOTE: Commissioner Sells, just before his departure Saturday told me that W. W. Hastings, tribal attorney for the Cherokees had pushed the case in question to a determination in the Probate Court. Mr. Hastings is one of the two tribal attorneys who appeared before the Board of Indian Commissioners on Nov. 7. If this decision is upheld in the higher courts, it will go a long way toward stopping frauds upon miners in Oklahoma.

F.H.A.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
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FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

December 29, 1913.

Dear Commissioner Ayer:

You will be interested to read the enclosed copy of the Report of the Joint Commission on Indian Tuberculosis Sanitarium and Yakima Indian Reservation Project, which I have secured through the courtesy of Senator Robinson, Chairman of the Joint Commission.

Sincerely yours,

Freda
Secretary.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

FHA/RB.

AYER & LORD TIE Co.

INCORPORATED
RAILWAY EXCHANGE BUILDING.
CHICAGO.

JOHN B. LORD, PRESIDENT & MANAGER.

EDWARD E. AYER, VICE PRESIDENT.

PHILIP R. SMITH, SECRETARY & TREASURER.

December 30th, 1913.

Mr. Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.

Dear Sir:-

Your having requested me to go to the Menominee Indian Reservation with you to look over the books of the Superintendent, also look over the mill-yard and some of the logging operations, I wish to report that I went over all the books, ledgers, cash books, journals and record books, not with the idea of a detailed check or audit, but with the idea as to looking into the methods of handling and seeing whether they were complete and also to see whether there might be some short cuts that would save labor.

After noticing the immense amount of detail that the Government insists on in its reports and making an examination of the books, I found there were few places where any saving whatever could be made and at the same time furnish the amount of detail required. My opinion is that the books are exceptionally well designed for the work in hand and that they are exceptionally well kept, and I have no hesitation in saying that Mr. Ashford is keeping a perfect set of books.

With regard to the yard, I went through the yard with you, Mr. Tyrrell and a number of Indians, also with Mr. Holland and Mr. Nicholson and I found that wherever the piles of lumber were on high ground, there was very little ~~waste or~~ trash lying around, no more than in many lumber yards I have visited and not as much as in some. There was quite a considerable amount of ~~waste and~~ ^{logs} trash in that part of the yard that was built on piling, the mill having originally been set in the bottom and a large part of the yard

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E.E.A. #2.

constructed over the water. Wherever this was the case, if a broken piece of board fell, or any of the old piling rotted out, or the timber holding the lumber rotted, they were liable to drop in the water and were not taken away, but they served the purpose in helping to fill this bottom, as a great share of this bottom land where the lumber was on piling has now been filled in with waste material of different kinds and should all be filled in to make an economical piling yard. Any ^{trash} ~~waste~~ or broken pieces that may have dropped into this water certainly have filled their place in helping to do away with the water. If this yard had all been on high ground, no doubt ^{the lumber would be on} this ~~waste~~ would have been taken away. I saw no waste of good material or neglect in keeping the yard in an ordinarily clean condition. The principal ^{make} ~~waste~~ in the whole proposition was the location of the mill at the start.

With regard to the woods, I went into the woods and spent two days there. Mr. Nicholson was with us the first day, and Mr. Tyrrell, Mr. Holland, Mr. Brigham, Mr. Crowell, Mr. Tenney and a number of Indians were there all of the two days. I found conditions in the woods to conform, in a number of ^{2/} instances, with the charges made by Mr. Tyrrell; that is, as far as finding logs he had photographed and pieces of slabs he had photographed, but as to there being any gross extravagance or waste in the woods, this I did not see.

We located quite a good many logs and found large slabs cut from some of the logs and also found some logs that should have been hauled in, but the explanation on this was that these were, particularly, logs cut for square timbers left on account of the early thaw. A big proportion of them had been peeled, showing that an effort was made to protect them, a large proportion of them will be brought in for this year's cut and the loss will be exceptionally small on these logs.

The principal loss that Mr. Tyrrell dwelt on was in the cutting of these square timbers, and he claimed there was an awful waste in the slabs. The contract called for the payment of these logs in the round; therefore, he paid for such slabs as were left in the woods.

We found other logs that had been left and a number of hemlock trees that had been left in the last three or four years on burned areas, but the instructions at the time were to cut all the pine and better class of timber, as the fair season was so short that they had to cut the timber that would pay the most and the timber that was left standing, which damaged considerably by being left, was timber that would net but small returns and they did not even, in the time they had, manage to get all of the pine in, though practically all of it. There is no question but that the loss would be an exceptionally small percent considering the immense amount of timber that was brought in during the three or four years.

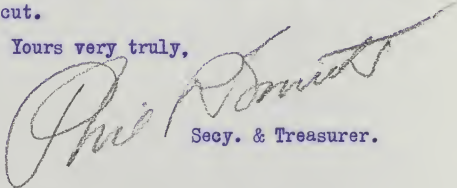
As to the price that they received for the square timber, I understand this was \$70.00 per M in the tree, standing. They are only getting about \$80.00 to \$85.00 per M for select cuts of the same class of timber after it has been logged, hauled to the mill, manufactured and piled and therefore I consider the price of \$70.00 per M in the tree, standing, was an exceptionally good one and far better than manufacturing this timber, paying the cost of hauling, cutting, stacking and then receiving but \$75.00 per M for the best of it, and much less for the lower grades.

Mr. Tyrrell's attitude, as I saw it on this trip, was one of continual fault finding. He seemed to see nothing that was done right and at each log that we would come to in the woods, he would make a speech which seemed to be made for the benefit of training the Indians and making them discontented. The only time I heard him say a complimentary word was to Mr. Brigham when we went to the New Camp 18 and made the last stop of the

E.E.A. #4

evening coming in and went out on the burned district where Mr. Brigham had cut down and cut up practically every log and every tree on the district, and we found many logs that had been found defective, then Mr. Tyrrell stated that Mr. Brigham certainly was doing his work properly there, but he was afraid somebody might criticise him for spending money in cutting up a ³/lot of this timber that had a number of defects not visible until cut and they might accuse him of waste in cutting timber that should have been left alone, and yet this was the same class of burned timber that we had been going over and the criticism was all the other way because it had not been cut.

Yours very truly,

A large, flowing handwritten signature in dark ink, appearing to read "Phil Roberts". The signature is written over the typed name and title.

Secy. & Treasurer.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
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FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

Dec. 30, 1913.

Dear Commissioner Ayer:

There is enclosed herewith copy of H. R. 10832, introduced by Congressman Stephens of Texas to amend the Act of March 2, 1907, providing for the allotment and distribution of Indian tribal funds. This bill you will observe is in line with repeated recommendations of the Board of Indian Commissioners.

Sincerely yours,

F. H. Abbott
Secretary.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
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DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

December 31, 1913.

Dear Commissioner Ayer:

I was very glad indeed to receive your letter of December 26th and to note your willingness to give a brief address before the Washington Society of Engineers. Commissioners Eliot and Ketcham have likewise expressed their willingness to assist.

Dr. Dixon, leader of the Rodman Wannamaker Expedition, who has recently returned from a tour of the Indian country with some very fine pictures of Indians, including some motion picture films, has consented, at request of Chairman Vaux, to finish up some slides especially adapted to the addresses to be made by yourself and the other two Commissioners. I understand that he has some motion pictures showing the cutting of trees and some phases of the operation of the Menominee mills. As soon as I can learn definitely the list of pictures for Menominee which he has prepared to show, I will send you the list. The night of February 5th has been fixed definitely for the meeting and it will be advertised as an affair of the Board of Indian Commissioners, and announcement will be made of an informal reception at the close of the meeting by members of the Board, to officials in the Executive Departments of the Government engaged in the administration of Indian affairs and also to members of the Indian Committees and others interested in Indian affairs.

Immediately upon receipt of your letter of December 26th, I called up Mr. Meyer, Secretary Lane's private secretary, and asked him to say to the Secretary that you had expressed in a letter to me your pleasure at the appointment of Honorable Isidore D. Dockweiler as a member of the Board.

I am looking forward to a most pleasant and profitable meeting on February 4, 5 and 6th.

Sincerely,

J. H. A. A. A. A.
Secretary.

Honorable Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.
FHA-JC.

December 31, 1913.

Dear Doctor Dixon:

I have just written to Chairman Vaux that arrangements have been made, in accordance with his suggestion, to give you one hour and a quarter on the program at the Smithsonian Institution on the night of February 5th and that your expenses will be taken care of.

At the request of Chairman Vaux, I make the following general suggestions of subjects that will fit in well with the probable line of discussion by members of the Board:

MENOMINEE INDIANS.

1. Types of individual Indians,
2. Typical Indian homes,
3. Their industries, especially various phases of logging and lumber manufacturing,
4. Schools and other Government buildings; agency, etc.,
5. Hospital, (if any),
6. Wannamaker flag ceremony.

PUEBLO INDIANS.

1. Representative Pueblo villages and types of individual Indians therein,
2. Industries, especially their agriculture,
3. Pictures showing the physical character of their lands,
4. Pictures showing the types of their Mexican neighbors,
5. Schools, missions, Government buildings, agency, etc.,
6. Pictures showing religious ceremonies,
7. Hospital, (if any),
8. Wannamaker flag ceremony.

NAVAHO INDIANS.

1. Types of individual Indians,
2. Hogan life,
3. Industries, including pictures of Navaho sheep and Navaho blanket weaving,
4. Schools and other Government buildings,

NAVAHO INDIANS, (cont).

5. Hospital, (if any),
6. Wannamaker flag ceremony.

PAPAGO INDIANS.

1. Types of individual Indians,
2. Indians' homes,
3. Pictures showing physical character of country,
4. Pictures showing village life of Papagoes,
5. Schools and other Government buildings,
6. Hospital, (if any),
7. Wannamaker flag ceremony.

Upon receipt of this letter, will you be good enough to give me a list as nearly as possible of the subjects which it is your intention to show, following out these suggestions, in order that I may send the same to members of the Board who will deliver addresses, so that said addresses and your pictures will fit together and make as harmonious a whole as possible. I should also like to have from you, immediately, suggestions that will assist in the proper advertising of your part of the program. It is the purpose of the program committee of the Washington Society of Engineers to give special publicity to this meeting, and, to accommodate the unusually large attendance which is expected, the auditorium of the Smithsonian Institution has been engaged.

Sincerely yours,

(Signature) J. H. HANNAIT

Secretary.

Dr. Joseph K. Dixon,
Educational Department,
Wannamaker Stores,
Philadelphia, Pa.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
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DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS

BUREAU OF MINES BUILDING

WASHINGTON

Dec. 31, 1913.

Dear Commissioner Ayer:

I was glad to receive your approval of the changes recommended in the specifications for clothing for the Indian Service and accordingly add your name to the letter addressed to the Commissioner of Indian Affairs submitting the recommendations in question.

Sincerely yours,

F. H. Abbott
Secretary.

Hon. Edward E. Ayer,
Chicago, ILL.

FHA/RB.

December 31, 1913.

Dear Commissioner Dockweiler:

One of the questions, which most vitally concerns the Board of Indian Commissioners just now, is that of securing the approval of the House Committee on Indian Affairs of an appropriation of at least \$10,000.00 to pay the Board's expenses for the fiscal year ending June 30, 1915. You will be surprised to know that for the past few years Congress has been providing the absurdly inadequate sum of \$4,000.00 a year for this purpose. At the last regular meeting of the Board on November 6th and 7th, a resolution was adopted in favor of requesting an appropriation of at least \$10,000.00 a year. The six members of the Board in attendance at that meeting called on the Secretary of the Interior and asked him to recommend such an increase. They also called on Senator Stone, Chairman of the Senate Committee on Indian Affairs, and upon Senator Owen, another member of the Senate Committee, and made a similar request of them. The Chairman of the House Committee on Indian Affairs was absent from the city at that time, preventing the making of a like request of him. It is likely that during the next week the Chairman of the Board will appear before the House sub-committee and present this matter. Meanwhile, each member of the Board is doing what he can in this direction.

You will observe that the Act of May 17, 1882, (see Forty-Second Annual Report of the Board for the year 1910-1911, page 13), gives the Board the widest authority "to visit and inspect agencies and other branches of the Indian Service and to inspect the goods purchased for said Service".

And only \$4,000.00 a year appropriated to enable the Board to perform these broad and important functions! The average cost for the services of a single inspector in the Indian Bureau is about \$5,000.00 a year.

The need of a larger appropriation, if the Board is to do the important work Congress has laid out for it to do, is so self-evident that argument would seem to be unnecessary. The Board has been using \$2,500.00 of this meagre appropriation to pay a Secretary. The larger portion of the balance has gone to pay for the services of a stenographer, for office rent, stationery and other incidental office expenses, leaving scarcely enough to pay the traveling expenses

of the members of the Board to Washington twice each year, not leaving enough to enable the Board to have a representative present always at the annual letting of contracts for Indian supplies, a duty specifically imposed by law, and leaving nothing at all to pay the traveling expenses of members to enable them to investigate field conditions in the Indian Service.

At the present time Commissioner Ayer is making a most important investigation of a large lumber mill on the Menominee Indian Reservation. This is the only lumber mill owned and operated by Indians and much controversy as to whether it is being conducted at a profit has arisen. The findings of Commissioner Ayer will have a most important bearing upon the future policy of establishing similar plants for the manufacture of Indian timber valued at approximately eighty millions of dollars, on other reservations.

Commissioners Eliot and Ketcham are just starting a very important investigation of conditions among the Navaho, Pueblo and Papago Indians. Their findings will have an important bearing on future legislation and administrative policy relating to approximately forty thousand Indians and affecting property valued at many millions of dollars.

Another line of investigation by the Board is presented in the briefs on Indian irrigation and Indian timber which I have prepared in response to a resolution of the Board and which are submitted to you under separate cover. These investigations alone should result in an annual saving to the Government in its appropriation bills for the Indian Service of approximately five hundred thousand dollars.

The investigations referred to above would have been absolutely impossible with an appropriation of only \$4,000.00, except for the fact that the Board was without the services of a Secretary from July 1st until October 11th of the present year and the Secretary's salary for those months saved for other purposes. And, even that saving would be insufficient to cover all these investigations, except for the philanthropy of Commissioner Ayer, who is not presenting a claim for the expenses incurred in the investigation made by him. Last year he financed an investigation made by Commissioner Moorehead among the Indians of Oklahoma.

Another saving, which has helped us this year, has been made through the courtesy of the Secretary of the Interior, who has provided good offices for the Board free of rent

I.B.D. -----3

in the Bureau of Mines Building and furnished telephone service at the Government rate.

The Commissioner of Indian Affairs this year recommended an increase from \$4,000.00 to \$5,000.00, an increase entirely inadequate, for the Board's expenses, and the Secretary of the Interior has recommended the latter amount to Congress. The Secretary stated, however, to the members of the Board, when they called on him in November, that he had supposed he was following precedent in recommending this amount and that he would be glad to see this appropriation increased. I feel warranted, therefore, in the belief that, if the matter were again referred to him by the Indian Commission, he would not oppose an increase over the amount formerly recommended by him. His predecessor, Secretary Fisher, last year recommended \$10,000.00, and in the Senate Committee Senator LaFollette moved to raise the amount to \$25,000.00. This action was lost by a tie vote. Chairman Stephens of the House Committee is the one whose opposition to an increase has been most pronounced in the past.

There are many valuable investigations which can be made by this Board. Indeed, there was never a time when there has been so great a need of unselfish constructive work in connection with Indian affairs; no time when the difficulties and complexity of the situation were so great. That this Government should ask public spirited citizens to assume the tremendously important functions imposed by law upon the Board of Indian Commissioners and ask them to serve, not only without salary, but without providing them the meagre appropriations necessary for actual traveling expenses while performing their duties, would be unbelievable, if it were not an actual fact. As you will know from the program which is being pursued by the Board at the present time, the members are doing everything possible in a spirit of loyal cooperation with the Secretary of the Interior, in whom they all have the greatest confidence, to assist in the administration of Indian affairs. Whatever you may feel free to do to assist the Board in securing an increased appropriation will be greatly appreciated.

Sincerely yours,

J. H. Smith
Secretary.

Honorable Isidore B. Dockweiler,
Los Angeles, Cal.

JG.

Washington, D.C. December 31, 1913.

F. H. Abbott, Secretary,
Board of Indian Commissioners,
Washington, D. C.

My dear Mr. Abbott:

As per request I am returning to you the statement pertaining to the Board of Indian Commissioners. I am of an entirely different mood relative to this Board of Indian Commissioners than I was when you saw me. I at that time thought that this Board of Indian Commissioners was of some service, and Mr. Smiley and you gave me that impression. You also told me that Mr. Ayer, who was sent to make an investigation of the milling operations at Neopit, Wis., was sent there to make a bona fide honest investigation of the milling operations. From the testimony that he has been gathering at that place, and from the acts that he has done over there, I have lost absolutely all confidence in his investigation and I think the investigation is absolutely a farce. I think it is an investigation to white wash Nicholson of any complaints that may be made against him.

I am sending you a sample copy of some of the testimony that this man has taken, from which it clearly appears that he is not making an investigation of the business operations at Neopit, but is prying into extraneous matters, belittling the complaints and complainants. I want to ask you whether or not in your opinion you think that such an examination has anything whatever to do with business operations at Neopit. This little bit of testimony will convince any man that this man Ayer instead of being there to investigate matters for the benefit of the Indians, is there to pry into the complaints made and belittle them as much as possible.

Very truly yours,

(Signed) Thomas F. Konop.

Chicago. January 8, 1914.

Congressman Thomas F. Konop, Wisconsin,

Washington, D. C.

Dear Sir:

Mr. F. H. Abbott has sent to me your letter to him of December 31, 1913.

The second day that I was at the Menominee Indian Reservation Mr. Tyrrell said to me that you and Mr. Ballinger and he said to Commissioner Sells that you would look with suspicion on any investigation made at the Menominee Reservation by anybody that Mr. Abbott was associated with. This remark introduced me to a type of men that I have never met before, men who would voluntarily insult a Government Officer who was selected by the Commissioner of Indian Affairs and the Secretary of the Interior to make an investigation, before, even, the investigation was started. I immediately told Mr. Tyrrell that Mr. Ballinger's and his opinion was a matter of entire indifference to me and that as for Congressman Konop, he could go to Hades.

I ought not to be astonished at receiving yours of December 31st to Mr. Abbott, and still, I am. You are again insulting the Board of Indian Commissioners, appointed by the President as the advisors of the Indian Department and the Secretary of the Interior.

Under Act of April 10, 1869, R.S. 2039, also under an Executive Order of June 3, 1869, and an Act of July 5, 1870, R.S. 2041, and especially an act of May 29, 1872, R.S. 2042, you can find out something probably new to you in regard to the powers of the Commission.

Of course the motive of Mr. Ballinger and Mr. Tyrrell is well known, that is, to get \$8,000 a year for being attorneys of the Menominee Indians. What yours can possibly be in thus grossly attacking a body of gentlemen who are working without salary, and in some cases much expense to themselves, it is almost impossible to imagine.

I have the most profound respect for the United States Senate and the House of Representatives, but to my mind your being a member of the House only shows that accidents may happen to the best regulated families, and I feel sure that your district, in the grand state of my nativity, will see to it that the accident does not happen a second time.

Mr. Ayer's letter to Congressman Konop - page 2.

I am making your letter and my answer to you a part of my report on the Menominee Indian Reservation, and have also had your letter photographed for future reference. I am also sending a copy of your letter, and my answer to it, today, to Commission Sells and Secretary Lane, that they may see in advance the outside efforts at work to try to influence my investigation.

Yours very truly,

(Signed) Edward E. Ayer.

BOARD OF INDIAN COMMISSIONERS

OFFICE REPORT

October 10 to December 31, 1913, inclusive.

To Members of the Board of Indian Commissioners.

Owing to inadequate stenographic help during the months of October and November and a mass of work of most pressing importance to the Board, which has kept the office stenographers working over time almost every day, I did not send out regular monthly reports during the last quarter, which it is my purpose to do in the future.

October.

Attending to correspondence and filing of papers accumulated during interim following the resignation of Secretary Phillips.

Checking up and bringing down to date legislative and document files.

Collection of data from General Land Office, Forest Service, Indian Office and Geological Survey and preparation of a map showing Navaho reservation and allotment conditions for the Mohonk meeting at the direction of the Chairman of the Board.

Preparation of paper on Navaho matters for the Lake Mohonk conference.

Following the Lake Mohonk meeting of the Board my time was absorbed in writing up the minutes of the Mohonk meeting and the preparation of data for the following meetings of the Board in November and December.

December.

In December, I employed, with the authority of the Chairman of the Board, two stenographers, and during the month devoted the regular time and considerable extra time to the preparation of briefs on irrigation and forestry matters, which have been placed in the hands of members of the Board. In addition to this work a great many letters were written to field superintendents in the Indian Service, to the Indian Bureau and to various railroad companies to secure necessary data and information concerning the proposed investigations of Commissioner Ayer, at Menominee, and Commissioners

Elliot and Ketcham among the Navaho, Papago, Pueblo and Mesquero Apache Indians. During this month, with the authority of the Chairman of the Board, I also made a trip to New York in response to a special invitation from Docter Joseph E. Dixon, representing the Wanamaker Expedition of Citizenship to the Indians of the United States, and while in New York made an investigation in connection with the delivery of some overalls, concerning which a dispute had arisen, and in connection therewith took up with Chairman Vaux, in Philadelphia, the matter of revising the specifications relating to the purchase of clothing for the Indian Service and worked out a draft of revised specifications, which, with the approval of Commissioners Vaux and Ayer, of the Purchasing Committee, was submitted to the Commissioner of Indian Affairs. In connection with my studies of irrigation and forestry legislation I made frequent trips to the Capitol and called upon Senators LaFollette, Clapp and Townsend and Congressman Stephens, Carter, Burke, Knoch, Hayden, Ferris and Mondell. Some of the subjects under consideration were also discussed with the Chief Inspector of Irrigation for the Indian Service; with Director Newell, of the Reclamation Service; Mr. Ryan, a member of the Reclamation Board and others having a knowledge of this subject. During the three months covered in this report, among the callers at this office, in addition to a number of clerks and employees of the Indian Bureau, were Frank LaFlesche of the Bureau of Ethnology, to discuss Crows and Winnebago matters; Mrs. Mary W. Roe and Rev. Henry Roe Cloud to discuss matters of the Fort Sill Apaches, conditions on the Winnebago reservation in Nebraska and the Cheyenne and Arapahoe reservations in Oklahoma; Major James McLaughlin to discuss various Indian matters; Mrs. Clifford, widow of the late Major Clifford, who died while employed at the Menominee reservation; Superintendent Spear, of Winnebago; Mr. Schanck, Irrigation Engineer in the Indian Service in Arizona; H. E. Johnson, former superintendent at Zosom, recently dismissed from the Indian Service; J. J. Dougherty, an Indian of the Bad River Reservation, to talk about the allotment of the remaining unallotted lands of his reservation and about his application for a position in the Indian Service; Superintendent Dana E. Kelsey, of Union Agency; W. W. Hastings, Tribal Attorney, for the Cherokee Indians; F. J. Hurley, Tribal Attorney, for the Choctaw Indians; Fred S. Cook, Inspector in the Indian Service; E. F. Holcombe, Chief Supervisor in the Indian Service; Charles E. Bagonett, Supervisor of Indian Employment in the Indian Service; Hon. Samuel Adams, of Chicago; former First Assistant Secretary of the Interior; Messrs. Kappler and Marillat, formerly Attorneys for the Crows Indians; Congressman Burke, of South Dakota, and Congressman Maguire, of Oklahoma.

3/3

Interview with Mr. Smith

Reviewed by Mr.
Smith's report

Report of Mr. Edward E. Ayer's interview with Mr. Philip R. Smith, Secretary & Treasurer of Ayer & Lord Tie Company, at Chicago, December 22, 1913 - in regard to the Menominee Indian Reservation.

Mr. Ayer: Q. You are the Secretary & Treasurer of the Ayer & Lord Tie Company?

Mr. Smith. A. Yes sir.

Q. How many years have you worked for them?

A. Well, I was one of the organizers, been with them twenty years.

Q. And your duties have taken you often through their cuttings and timber manufacturing?

A. Yes sir.

Q. You also went to Menominee reservation with me.

A. Yes sir.

Q. You have charge of the books of the Ayer & Lord Tie Company, have you?

A. Yes sir.

Q. In looking over the books at Neopit were there any suggestions you saw you could make, for greater simplicity or economy, - how did you find them?

A. There was almost no place that the books could have been simplified and given the immense amount of detail that the government requests.

Q. Then you found them as satisfactory as could be for the purposes intended?

A. I made no detailed check or audit at all, but just looked at the general form and their methods, and the way the books were kept up I can say that they are exceptionally well kept and Mr. Ashford, in charge, is certainly keeping a perfect set of books.

Mr. Ayer: Q. You also went through the yard?

Mr. Smith. A. Yes sir.

Q. With Mr. Tyrrell himself and the Indians that he had in showing the defects?

A. Yes sir.

Q. In what condition did you find the yard?

A. I found that wherever the piles were on high ground there was very little waste or trash lying around. There was quite a considerable amount of waste and trash in the low country, where the yards had been built on piling and where they were merely filling in, but this was waste pieces of broken plank that had been dropped in there ever since they had been piling lumber there, and left there to help fill up the water hole. There is still a part of the yard that is on piling and being on piling the timbers that support the lumber rot rapidly, being over the water, and that material when replaced is just dropped down into the water and not carried

away, and any pieces of plank that are broken and practically worthless, as are found in all yards, are dropped into the water. They all serve to fill this place up. As I understand it, the intention is to fill it all.

If this yard were on ground this material would have been taken away and destroyed, but it is serving the purpose where it is.

Mr. Ayer: Q. Did you see any waste of good material, or any neglect in the keeping of the yard in ordinary condition?

Mr. Smith. A. No sir. The principal waste was the original location of the Mill, having to place their lumber yards over water, on piling.

Q. You also went into the woods the next morning after we arrived, with the Agent Mr. Tyrrell, the timber boss, the two lumber cruisers and Mr. Tyrrell's Indians?

A. Yes sir.

Q. Did you find the conditions in the woods to conform to the copy of the letter where the charges were made by Mr. Tyrrell of gross extravagance and waste in the woods?

A. I found logs in different places, as he had described in the letter, and I found large slabs cut on some of the logs, and found some logs that should have been hauled in; but the number of logs we found, went to, and were shown by Mr. Tyrrell, taking into consideration that they spread over three or more years, they were almost infinitesimal compared to the immense operation.

The principal loss that Mr. Tyrrell dwelt upon was in the cutting for the square timber. There was some of this that should have been gotten out, or the square timber man should have been kept from cutting if the chance of getting them out was doubtful. But this material had been, in most instances, taken care of by the Agent, by having them peeled to keep the worms out of them, and they would have been taken out the year before if it had not been on account of the early Spring and it was impossible to haul them, and they will be brought out on this year's operation and the actual loss in waste will be comparatively small.

As to the slabs, they were paid for by the Contractor at the full price per thousand feet that he paid for the logs that he took, as the tree was measured in the round.

Mr. Ayer: Q. In selling these hewd logs to these people they paid \$70 a thousand for them, standing, and got them out themselves, which made it up to in the neighborhood of \$80 a thousand in the tree. From the fact that these logs would not have sawed over 30 or 40, if that percent. of O's, do you think this was a fair price?

Mr. Smith. A. It was a decidedly good price, because he is

selling his select after it is manufactured into
lumber at about \$85.00.

Mr. Ayer: Q. Was Mr. Tyrrell fair in his attitude towards
the work?

Mr. Smith. A. I should hardly say so, and in his general
talk he could see almost nothing that was done
right and he made a speech at each individual
log that seemed to be made for the benefit of
training the Indians and making them discontented.

Copy of Father SIMON SCHWARZ's letter to Mr. Edward E. Ayer, dated Keshena, Wisconsin, December 18th, 1913.

St. Joseph's Indian Industrial School,
Keshena, Wis. Dec. 18, 1913.

Honorable Edward E. Ayer,
Railway Exchange,
Chicago, Ill.

Dear Sir:

Complying with your request, I will answer the questions you asked and state what I think would be the best for the Menominee Indians.

I have been among the Menominee Indians at Keshena for 17 years; for 15 years I had charge of the Missions at Little Oconto and Kinipeway and for two years I have now charge of Keshena, so I know a little of their lives, habits and conditions.

I do not know of any case of abject suffering among the sick or old or poor, or that they were not helped when in real need, either by their neighbors, or were refused help by the Agent. There are, of course, sick people and poor people as everywhere, but the former received rations when old and unable to work and the others were taken to the hospital, if they could be induced to go there. I do not know of any case that a sick person was refused admission to the hospital if the circumstances demanded it.

As regards Tuberculosis and Tracoma I must say that there have always been cases of both; whether they are on the increase or not I do not know, as in former years the disease was not tabulated so carefully as now. If the death record among the Catholic Indians shows anything, it shows that the health of the tribe in late years is better than ever before.

Also in regard to intemperance in drinking, quite a change for the better has come the last 5 years or so. It happens now rarely that an Indian is found drunk on the Reservation. It does occur, of course, now and then, but never goes unpunished if found out. However, if instead of being deported to Milwaukee to serve their time, drunkards would be made to serve their sentence on the reservation, either improving the roads or clearing land, I think it would be better, especially in the case of married men. The real hardship of the punishment in such cases falls on the family of the drunkard, and his wife is exposed to great moral danger during the absence of the husband.

In regard to the Mill at Neopit I must say, as far as I can see, that it has been a benefit to many Indians, as it gave them work, and several Indians have done very well; they have now decent houses and are working steadily and are making a fair livelihood and are in every way better situated than they were before the mill was built.

I think, too, that every Indian who was willing to work could find work and if he proved steady and competent, was paid fair wages. The complaint about the Mill since its erection was, that it takes all the Indians' money and was not making any for the Indians. Of course the construction of the plant was a great expense, but if managed properly it would be bound to make money and return a fair profit on the investment. Perhaps a private concern could run it cheaper, not having to employ such a large office force, and not being obliged to make so many exceptions in employing men and being so restrained in disposing of the lumber. *H*

And now, as to the farming proposition. I am convinced that farming would indeed be the salvation of the Indian and the only way to civilize him eventually. However, the steady work on a farm is not to his liking and he is easily discouraged, if he cannot get the result of his labor right away.

I think that, allotting to every Indian, who is willing to farm, 80 or 120 acres, to be his permanent home, and to advance him the money for improving the same, would be a step in the right direction to solve the Indian problem, and to make him self supporting. The condition, though, of getting additional assistance should be: making new improvements, say, for every acre of land cleared and cultivated advance \$20.00 or value thereof in implements, seed, etc. this to be charged to his balance. Also that a certain number of horses and cattle be maintained and food for same raised and stored on the premises.

The officer to look after this work should have authority to compel them to work on the farm, otherwise nothing will come of all the regulations.

It would be good policy and I think necessary to advance them money for the work they do on the farm, until they would have 40 acres or so under plow, because otherwise they are obliged to work away from home to get the necessary subsistence and no improvement is possible.

The old, sick and disabled to work would have to be supported as now by rations and annuity. Those working at the mill or at a trade might get help for building a house or making improvements on same; but those able to work should be made to work in order to get the use of their own money. I know this seems unjust, as the money belongs to the Indians; yet if he can get it without work and spend it as he pleases, the result will be that the Indian will ever remain only a consumer and never a provider, and when his substance is all wasted he will be a charge to the poorhouses. Actual conditions and the experience of many years, I think, are proof enough that money obtained without work is a curse, not a blessing for the Indian. For, big child that he is, he does not look ahead, but only what he needs today, and so he wastes his ready money for whatever strikes his fancy or tickles his passion, and thus he grows up improvident and careless, and fruitless as the poor Indian we know today. He will have a good time for a day or two and for the rest of the year he is in need and misery.

End here

From the foregoing statement of pick up scale the following statement shows this year's intended disposition.

- SE SE Sec. 8, T. 29 N., R. 14 E. -

2,540 ft. White Pine left from Waney Board cuttings now decked in rollways ready for hauling from Camp 15's present operation.

- SE NE Sec. 17, T. 29 N., R. 14 E. -

9,420 ft. White Pine to which roads are now cut and skidways built ready for skidding during present year's operation as soon as the soft ground on which they lie is sufficiently frozen to allow team work.

- NE NE Sec. 17, T. 29 N., R. 14 E. -

4,070 ft. White Pine ready for skidding as above.

- NW NW Sec. 16, T. 29 N., R. 14 E. -

3,910 ft. White Pine on so called State School Land at present in litigation which we are forbidden to move.

- NE SW Sec. 10, T. 29 N., R. 14 E.


9,910 ft. White Pine in present year's Camp 15 operation - to which roads are built, skidways and landing left from last year's operation for that purpose.
3,480 ft. Hemlock scaled and planned to take out as above - Camp 15 operations.

- SE SW Sec. 10, T. 29 N., R. 14 E. -

23,150 ft. White Pine adjoining above description and to be logged with it.

- SW SE Sec. 10, T. 29 N., R. 14 E. -

4,880 ft. White Pine adjoining above description and to be logged with it.



- 2 -

- NE NE Sec. 6, T. 29 N., R. 15 E. -

2,180 ft. White Pine & Norway left in 1911 & 1912 operation not accessible to this year's work.

- NW NE Sec. 6, T. 29 N., R. 15 E. -

7,590 ft. Fire killed White Pine & Norway skids - logs - bridging, etc., left 1911 - 12. Not accessible this year's work.

- SW SE Sec. 31, T. 30 N., R. 15 E. -

~~6,870~~
~~6,280~~ ft. Fire killed White Pine & Norway - skids, bridging & logs left season 1911 - 12. Not accessible in this year's operation.

- NW NE Sec. 31, T. 30 N., R. 15 E. -

770 ft. Pine logs left in swamp near Camp 11 season 1911 - 12. May possibly be skidded out this winter, but there is no frost in the swamp sufficient to hold team this date, Dec. 16, 1913, making it problematical.

- SW SE Sec. 30, T. 30 N., R. 15 E. -

1,710 ft. Pine & Tamarack same condition as above.

- NE NW Sec. 31, T. 30 N., R. 15 E. -

3,730 ft. Pine, and

3,220 ft. Hemlock, same condition as above.

- NE $\frac{1}{4}$ Sec. 36, T. 30 N., R. 14 E. -

2,960 ft. White Pine decked in Camp 17 rollways ready for present season's hauling.

1,110 ft. Pine to be drayed into above job.

660 ft. Pine not accessible to this season's logging.

2,610 ft. Hemlock not accessible to present season's logging.

~~32,600~~
~~33,250~~ ft. Not accessible or probability of logging at least doubtful.

61,520 ft. Accessible to present year's operation.

Very respectfully,

Ernest J. Brigham
Supt. of Logging.

Dec. 16, 1913.

6 Copies

I hereby certify that the foregoing descriptions, log scale, memoranda and data as shown hereon are true and correct to the best of my knowledge and belief.

That I believe that I have covered all the ground, viewed and scaled all merchantable logs under discussion, and to which attention was called November 29 - 30 and December 1, 1913, during investigation upon complaint of Menominee Indian Committee, and all such other logs found by me, not seen or mentioned by that committee in the several localities visited.

That such scale was well and truly made by means of a Scribner Decimal C Log Rule and Calipers used where rule could not be applied.

That I did not include cedar logs and poles cut by Paul Tebeau at and about the corner of Sections $\frac{31}{6} | \frac{32}{5}$ - T.30 N. R. 15 E. lying in swamp containing from 2000 to 4000 pieces.

That I did not include certain hemlock logs obviously left for present season's logging on the southwest 1/4 of Sec. 10, T. 29 N., R. 14 E., which I estimate to be in the neighborhood of 20,000 feet.

That the total scale of logs herewith included as shown in the foregoing report equals $\frac{94,770}{94,100}$ feet log scale.

Signed Lincoln Crowell
Deputy Supervisor of Forests.

Signed Ernest J. Brigham
Superintendent of Logging.

State of Wisconsin }
County of Shawano } ss
On this 16th day of December A.D. 1913 personally appeared before me a Notary Public, Ernest J. Brigham and Lincoln Crowell, who being duly sworn, acknowledged that they executed the foregoing instrument to be their free act and deed.
Notary Public
My Commission expires Aug. 20, 1915

Chicago. December 10, 1913.

I have the honor to make the following recommendations in regard to things that ought to be done to benefit the Menominee Reservation.

Edward E. Ayer.

- 1- The plant is tremendously handicapped in only having a cheap railroad with small supply of cars etc. to ship its product. I recommend that arrangements be made to allow the Chicago & North-Western Railroad to come in from the south under a contract satisfactory to the Department. I use the term "from the south" from the fact that they are nearer the reservation from the west but that would add 50 or 60 miles to every car that went out of the plant routed for the south.
- 2- I recommend that the Reservation be cruised, that there be a report made showing the approximate amount and class of timber on every section of the reservation. Some people say there are two billion, some say one and some one and a half billion. I think the Department ought to know positively, for their future guidance what is on the Reservation and also the same investigation should classify the lands for agricultural purposes.
- 3- In my judgement it would be safe and proper to allow each Indian on the Reservation \$500.00 in money; this money to be placed to the credit of each Indian and to be used for their benefit on the recommendation of the Agent and under his control wherever there is any danger of anybody using the money unwisely. *See note*
- 4- I recommend that farms be allotted to Indians wishing to become farmers, the grant of the Government to be so framed as to preclude alienation within a period of 50 years from the date of grant; the land not to be subject to lien or incumbrance of any kind; the land to be granted for farming purposes exclusively. I recommend that in addition to the \$500.00 that each Indian gets in the above mentioned allotment three or four hundred dollars more be given to any Indian who takes up a farm, to be charged to his individual account as against the balance of money in the treasury belonging to him, and that this amount be used solely and fully for the purpose of helping to put buildings, stock, etc. on his farm. It is utterly impractical to

undertake or expect these Indians to clear up a farm and get it going without help, and in my judgement the future prosperity of these Indians depends on their being taught farming.

- 5- I recommend that two, four or six of the brightest young Indians on the Reservation be sent to Wisconsin State College of Agriculture at Madison to take a full course in Forestry and Scientific Farming, that they may come back to the Reservation equipped to teach the Indians who have elected to make farms. To show the importance of this I will state that in the State of Illinois each county has a man whose sole duty it is to go down amongst the farmers, rich and poor, and teach them about the best kind of stock, how to treat it, analyze their land, confer with them about the best sort of crops and how to fertilize for it. If it is important in the State of Illinois amongst the rich farmers you can see how it would apply amongst Indians just starting.
- 6- I find the most astonishing system of selling this lumber in force by the orders of the Department at the mills. Under the system now in vogue it is possible to do only very little with the big concerns that expect to make at least \$2.00 a thousand on every stick they buy in that way. This could be entirely saved, making a difference of from 40 to 60 thousand dollars a year to the mills, by employing a bright salesman, say at \$2,000 a year and expenses, to travel amongst the lumber yards in the small towns that are tributary to this plant in Southern Wisconsin, Illinois, Indiana and Iowa, and sell this lumber. It seems to me that rules might be arranged having each drawn to the Government etc. and make this safe. Bradstreet's could be taken to find the leading lumbermen in each town, those that are abundantly safe - and nearly all of them are rich - so that you would lose but a very small amount, if any. To illustrate this, I know of three, four or five lumber yards in the immediate vicinity of my country home in Wisconsin that I would guarantee all they bought, if it was the entire cut of the plant, for 10¢ a yard.
- 7- I would also recommend that in a plant of this magnitude all matters referred to the Department should have a great deal prompter attention than they usually receive. There have been two or three times since this proposition was started where enormous losses have occurred by the dilatory tactics of the Government in not deciding important questions promptly.

8-

I recommend that a traveling library be established at Neopit. The State of Wisconsin has several hundred traveling libraries and I have already taken this subject up and can arrange that from here.

8

In the many thousand acres of land on this reservation there is an enormous amount of food for cows, ~~cattle~~ and young stock growing and going to waste every year. I think the reservation should be investigated with the view of starting a tribal herd there of a thousand head of ~~cattle~~ to be herded by Indians with their ponies and to be allowed to increase to the full extent that hay could be cut in certain protected districts, to get them through the winter. There is certainly enough food there for nine months of the year for several thousand head, and at the price that cattle are now and always will be there will be a large profit in turning off the two and three year old steers each Fall to be sent down, if not fat enough for beef, for feeders. It seems too bad in the present condition of the meat supply of our country that enormous districts like this should be allowed to go to waste.

See Mrs. Marble's report

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LAW OFFICES OF
WEBSTER BALLINGER
ROOMS 80 TO 97
1413 G STREET N. W.

WASHINGTON, D. C. December 13, 1913.

Hon. Edw. E. Ayer,
Chicago, Illinois.

My dear Sir:

As the copy forwarded to me does not give the full gist of our conversation and in instances leaves it unfinished and incomplete, possibly due to the fact that I spoke too fast for your stenographer, and as it does not cover the matter as fully as I desire I am sending you a corrected statement with reference to the matters discussed.

Mr. Ayer, during the course of the last conversation which I had with you while at Neopit and just before you left, you referred to the critical condition of the Menominee Tribe due to the great dissatisfaction and the feeling of unrest which prevails throughout the Reservation. If I remember right you referred to the condition of the tribe as being dangerous. You also made the statement that you felt that I had a great influence with the tribe and that, owing to that influence, I was the proper person to quiet this feeling of dissatisfaction and unrest, that I should inform the members of the tribe that conditions were all right on the reservation, that the tribe was making money and urge the members to turn their attention to agriculture.

I answered you, at that time, that I did not consider the conditions on the reservation all right, that I did not consider the tribe was making money but on the contrary losing money, that I did not consider it advisable to urge the members of the tribe to go to farming until the conditions existing on the reservation had been corrected and means provided whereby they would be able to support themselves while clearing their farms and to build the necessary buildings and provide stock and farm machinery, and that, even if the necessary means were provided at this time, the move would not be successful so long as the tribe felt that tribal property and funds were being wasted through the operations at Neopit and that, as an honest man and an attorney, I could not look the members of the tribe in the face were I to advise them to lay down before the rights, for which they were striving, had been attained.

Your reference to the influence which you felt I had with the tribe, coupled with the fact that I realized as you did the gravity of the situation existing on the reservation and the further fact that I felt I had, in a large measure, the confidence of the tribe, and that they were depending upon me, locally, to safe-guard their

✓ interests and advise them honestly and fearlessly, placed upon me, Mr. Ayer, a responsibility which I carried from your presence and which I felt was paramount to any personal interest which I might have in the premises.

I felt then, as I do now, that the great dissatisfaction existing throughout the reservation must be checked and wiped out at once or great injury and suffering would result, not only to the tribe but also to the individual members thereof.

Moved by these considerations, I took up the matter with some of the leaders as well as other members of the tribe. 2/

The result was that we arrived at the conclusion that this discontent and dissatisfaction would remain unless the conditions and circumstances which brought it about were eliminated.

We also arrived at the conclusion that there was but one of two ways by which the existing conditions could be eliminated.

First. By a thorough investigation of all tribal matters. It was suggested, however, that this investigation would undoubtedly prolong this feeling of dissatisfaction and unrest for a considerable time, as it would simply lay the foundation for the remedial measures, which would, of necessity, have to be taken in order to change the conditions existing and which would, of course, take time.

Second. By allowing the tribe to employ attorneys through whom and by whom the conditions prevailing upon the reservation could be made known to the Department and the proper remedies applied by the Department, and by allowing the tribe, through their attorneys, to sue for the loss which it has sustained through the operations at Neopit and by the Department taking the tribe into its confidence to the extent of listening to and investigating any recommendations that the tribe might make with reference to the men placed over them.

It was felt that, if this last course be taken, it would ultimately attain all the results of an investigation but with this in its favor, that it would quickly allay this excitement and dissatisfaction as the members of the tribe would feel that their rights were being safe-guarded and that gradually and in an orderly manner the conditions to which they are subject would be righted.

The conclusion was also reached that, unless this last course was adopted, the only other course was an immediate and thorough investigation of tribal affairs.

Mr. Ayer: Q. Who are the "leaders of the tribe?" Give me their names.

Mr. Tyrrell: A. There are a great many - I could not give you all the names. There is Lewis LaFrambois, Tom Prickett, Adolph Amour, Tom LaBell, Joe Longley, Joe Wabeno, Paul Tebeau, Sam LaFrambois, Frank Gauthier, Mose Tucker, Simon Beauprey, George McCall, Joe Lawe, Paywaukee, Weekesit and many others whom I have not space to mention but who enjoy in an equal measure the confidence of the tribe.

Mr. Ayer: Q. What is the nature of these claims that the Indians have got: do they want to collect for what was lost before the mill was started, by the wind break and that sort of thing?

Mr. Tyrrell: A. We have put that out very fully in our application to the Department. That is, the operations at Neopit have entailed a loss of over \$1,000,000, including the loss entailed by the blow down and from the lumber operations since the building of the mill.

And then there is a bill pending before the Department for the enrollment of a large number of half bloods, and the members of the tribe desire every man to become enrolled who can show a legitimate right to be there, but not otherwise, and they wish to be protected against those who have no right.

Then there is the claim which the tribe has against the government and the Stockbridge Indians for the timber cut on what is known as the "Two Mile Strip" as well as many claims growing out of tribal treaties.

Mr. Ayer: Q. What do you think about the recommendation I am going to make, that the Indians take up farms? Don't you think it is a good one?

Mr. Tyrrell: A. I believe that, applying to a large number of the Indians on the Reservation, it is the ultimate solution of their social welfare. I am also convinced, as I have stated before, that I do not consider it advisable for the Indians to undertake farming on the scale contemplated by you, until the conditions now existing on the Reservation are remedied and also help extended to them. I firmly believe that if the existing conditions are met as I have suggested, a number of the Indians would select their farms and begin next spring, providing, of course, that some method was devised by which they could get help.

Mr. Ayer: Q. Have you taken this up with the Department?
Mr. Tyrrell: A. No. That would really be a matter that would be outside the scope of our employment, although, it could, if desired, be made so; that is, to make suggestions etc., as to the methods by which help could be extended to those farming.

Mr. Tyrrell: If you feel that you can recommend that the tribe be allowed to employ its counsel and allow them to work out a solution with the Department of the conditions existing, which would relieve the intense feeling among the tribe, and also recommend that the Department as much as possible take the tribe into its confidence and pay attention to and investigate the recommendations which the tribe might consider proper to bring to the attention of the Department, with reference to its employees, I feel that a good step would be taken.

Mr. Ayer: Q. Well now, the matter of expense is a very important one. Now, what would the expense be?
Mr. Tyrrell: A. Our contract provides for \$8,000 a year for Mr. Ballinger and myself. We contemplate a local man near the tribe and Mr. Ballinger in Washington to attend to matters there, we jointly to handle the litigation of the tribe.

Mr. Ayer: Q. Well of course you would be the local man?
Mr. Tyrrell: A. Yes; I would be the local man. I feel that, while I have their confidence, I have no "cinch" on the tribe. They are at liberty to hire anyone they please.

Mr. Ayer: Q. When I was at Neopit you said you had never received one cent of compensation.

Mr. Tyrrell: A. Up to date I have never received one cent of compensation. About three and a half weeks ago I received \$125.00 which has not been sufficient to meet my expenses to Washington and since that time.

Mr. Ayer: Q. That came from the tribe?

Mr. Tyrrell: A. Yes. At the present time I am guaranteeing my expenses myself, and if they are not paid by the tribe I have to foot them myself. The tribe is under no legal obligations to me for any services I have rendered them to date, but the conditions there have been and are so urgent that they require immediate attention, so much so that I could not allow the lack of money on the part of the tribe to keep me from doing what I could to see that

justice is done them. Mr. Ayer, I don't know whether your attention was called to the condition of the Pagan Indians or not?

Mr. Ayer: A. No, I didn't have the time to look into that.

Mr. Tyrrell: A. At Mr. Wykesesit's request I visited several families of Pagan Indians. I was able to endure but three families: their condition was so pitiful and demanded so much relief that I simply turned sick and I could not continue visiting the remaining families there.

Mr. Ayer: Q. You are perfectly satisfied that every opportunity was given you at the plant to present your case, under the circumstances?

Mr. Tyrrell: A. No. I cannot say that, from the fact that I could have kept your men there at least two weeks.

Mr. Ayer: Q. That would not have been consistent.

Mr. Tyrrell: A. But when you consider that the conditions to which we called attention are practically the prevailing conditions over the entire area of operation, you can see that we could cover but a small fraction in the few hours that we were out. I must say that I do not consider that "every opportunity" was given me to present our side of the case. Far from it, Mr. Ayer.

Mr. Tyrrell: Q. What would be your position in this matter, if I may ask?

Mr. Ayer: A. I would not recommend any attorney or attorneys, because it would be a division of authority. There would be two different interests that the Indians could go to. Every time an Indian was discharged, or anything else, he would come to his attorney and that would mean a report to Washington and the Superintendent would make another; and it seems that in any business the more divided authority you have the more you are liable to fail.

Now, if the United States can have a man that is taking care of 40,000,000 feet of lumber a year practically, cutting, sawing and selling, and then have charge of 1700 people, sick, lame and lazy, and all for \$3500.00; and I certainly would not recommend that they pay lawyers \$8,000 a year for presenting the ordinary business of the tribe which the Government is under obligations, through their Indian Department and special agents to attend to themselves. I would not recommend anything of that kind.

Mr. Tyrrell: As far as the "division of authority" is concerned, I don't believe there is any contract that contemplates any division of authority and there certainly would not be any.

Mr. Ayer: Yet you say that you would present their grievances, etc. If you had the power and right to go in on the reservation and listen to the complaints who had a grievance. The Government has their agent there for that purpose and I don't believe the Government has any right to permit the Indians to spend any money for attorneys. If there are individuals that want to employ attorneys and they have money to pay for them, all well and good.

Mr. Tyrrell: Now, if you knew the number of cases I have had to attend to and which demand attention --

Mr. Ayer: You mean in this tribe? Then in that case you have been doing part of the duties of the Indian Agent of course.

Mr. Tyrrell: No, not at all. These are matters which the Government should have attended to, but which the Government never has and I don't believe the Government ever will.

Mr. Ayer: Am I to consider then, that you haven't any faith in the Government ever settling these claims?

Mr. Tyrrell: I have absolute faith in the present officials at Washington, connected with the Indian Department. But I don't believe that it is possible for the Indian Department, through its local department, to obtain for the Indians that full measure of justice which an attorney, who is employed for the tribe and paid out of tribal funds would secure.

Mr. Tyrrell: In connection with this "blow down" in the logging district, some of the members have approached me and stated that they felt the tribe would desire the settlement of these claims, with the exception of that of Cook, upon the basis of what was actually due the contractors at the time of the closing of operations, with a reasonable per cent interest, providing we as their attorneys would stand between them and the suing contractors.

Mr. Ayer: You think they would save money by having you do that?

Mr. Tyrrell: Now understand, Mr. Cook, outside of his own claim, has claims, I have been informed aggregating in the neighborhood of \$100,000 if not \$130,000 - I don't know. I believe those claims could be settled for an amount in the neighborhood of \$25,000 to \$30,000, or in other words, for the amounts due the

contractors at the time of the closing down of operations with a reasonable per cent interest. Understand, I am not referring to Mr. Cook's personal claim in this connection or at any time with reference to these claims but simply to those claims which, I have been informed, Mr. Cook has taken to collect for certain other contractors, including a number of Indians.

Mr. Ayer:

There were certain deductions made by Mr. Brannif from all the claims, the reasonable cost for running the logs, as they never were run. Then, in addition to that there was penalties for cutting green timber, etc. which he docked them for too. Now, isn't it a fact that the Government has considered these deductions and if anything ever is paid out it goes to a few white men. How do you save money for the tribe in that way?

Mr. Tyrrell:

Mr. Cook's claims call for not only the amount actually due, including those deductions, but also claims for damages for breach of contract etc. which bring it up from \$25,000 to \$100,000 and over. Now if it is considered that these claims are proper to be paid it means that the sum of \$100,000 will come out of the tribal funds. Now if the tribe is allowed their attorneys and they can settle for \$25,000 they are saving the difference between \$25,000 and \$100,000.

Mr. Ayer:

I see. The Government claim that they don't owe anything. Now, these men who have \$100,000 damages etc. you think you could get off?

Mr. Tyrrell:

These Indians who have contracts and who have certain amounts coming on those contracts and which have been held back have stated to me that they thought the tribe would be willing to vote for settlement on the basis of what they claim was actually due, with a reasonable per cent of interest, providing we represented the tribe to see that these conditions were brought about which I have just outlined.

Mr. Ayer:

Isn't it a fact that the Indian Department and the Government claim that they don't owe these claims? Isn't it a fact that if they paid any money on those claims of any name or nature it would only go to the few loggers who have those claims and would come out of the funds of the Menominee Indians?

Mr. Tyrrell:

The position I take is that the Government will have to pay every dollar due on these contracts.

Certainly it has got to come out of the tribal funds, but they would be willing to pay this because there was a chance that they would have to pay more if they went to law.

Mr. Ayer:

Mr. Tyrrell; your coming here to discuss these things with me is perfectly proper.

Mr. Tyrrell:

I take it so.

Mr. Ayer:

And it is just as proper for me to disagree with you.

Mr. Tyrrell:

Absolutely. - - Mr. Ayer, I have given this matter a great deal of time and attention, through the fact that I feel that these conditions must be done away with, the tribe must be quieted and as many as can must be taught farming.

Mr. Ayer:

Yes, that is one of the first things I took up with them.

Respectfully Submitted.
D. F. Tyrrell.

The following Resolution was unanimously adopted by the Creek Council of Indians, consisting of more than one hundred members, at their recent session held at Okmulgee, Oklahoma:

R E S O L U T I O N .

Realizing that we have in the person of our present Honorable Commissioner of Indian Affairs one of America's foremost statesmen, a man of unusual ability and of untiring energy who has consecrated his heart and dedicated his soul to the best interests of the Indians of America, and realizing that within the short period of time that he has served as Commissioner of Indian Affairs he has done more to bring about a spirit of friendly cooperation and better feeling and more thorough understanding between the Indians and remaining citizenship of Oklahoma than has ever before existed, and realizing that through his personal efforts he has done so much to inspire the Indians of Oklahoma to attain a higher standard of moral and social conditions, safe-guarding at all times, as he has, our property rights and especially the property rights and moral and social welfare of our minor children;

NOW THEREFORE, BE IT RESOLVED, That as a token of our appreciation of the services he is rendering us and the people of our Tribe, we express to him the gratitude of our people and the support of the people of our Tribe in the very splendid effort he is making to conserve our estates, the estates of our children and lift to a higher degree of citizenship the personnel of our tribe.

Forestry.
149198-1913.

Jan. 3, 1914.

The Commissioner Indian Affairs,
Washington, D. C.

Sir:

I am in receipt of your letter of December 26th transmitting copy of charges against me filed with you by one D. F. Tyrrell, an attorney of Gillett, Wis., who is associated with one Webster Ballinger, an attorney of Washington, D. C.

Replying to your letter I would call your attention to the fact that he makes said charges "for and on behalf of the members of the Menominee Tribe of Indians" and signs himself as "representing the Menominee Indians." I deny his authority to so act, I having no knowledge that he has received authority as the regulations require to be employed by them, ^{or can't negotiate with them} and I also know that the tribe has never employed him, although he has made surreptitious trips in on the Reservation for that purpose.

He is associated with several factionalists of the tribe who have been stirring up agitation here for the year past and for which he and Mr. Ballinger are partly responsible for, through their efforts to manufacture a favorable sentiment to employ them as attorneys. Furthermore the charges made by him are simply a reiteration in a

Forestry.
149198-1913.

C.I.A.-2.

a great part of the many complaints with which your office has been deluged during the year past, all of which have been investigated by special Inspectors from your office and they are in particular the same I judge which were presented to you and in particular to Hon. Edward E. Ayer, of the Board of Indian Commissioners, in person by the said D. F. Tyrrell on the occasion of his visit here in early part of December. This, I judge, because Mr. Ayer went into these very matters on the occasion of his visit here and I have no doubt that his report is now in your hands.

I also deny that either he or those associated with him are competent in any manner to pass intelligent criticism or possessed of the practical experience either in Indian affairs and its administration or the lumber industry to judge or to say if my administration is competent or not.

I feel also that from the record of this plant and this reservation before the office, which covers in detail the many absurd statements contained in Mr. Tyrrell's statement, that it should hardly be necessary for me to make any answer to same as it is only repetition of matter on which action has been properly taken. However, replying to same as a whole, I have to say that his charges embraced in Paragraphs 1 to 13, in entirety and separately, word, lines

C.I.A.-3.

and each paragraph are an absolute tissue of falsehood and not only display entire ignorance on subjects spoken of but are made with malice aforethought. He is interested in securing a contract to represent this tribe as attorney, has deliberately misrepresented many things to various Indians, has visited the reservation secretly and has been a party to an attempt to create dissension here to further his own ends and of those associated with him, in particular those part blood members of the tribe who live without visible means of support and who are the chief offenders against regulation and order and who hinder in the main the advancement of the real Indian.

As Mr. Tyrrell presents no bill of particulars and has seen fit to generalize for any effect that might be created I herewith answer separately as per paragraph numbers in the same manner the best under the circumstances that I can.

Par. 1. I herewith deny that any member of this tribe was ever refused employment at these operations. So much is this not the fact that when Indians apply for work special effort is made by me to fit them in some suitable place. Section 2 of the Act of March 28, 1908, has not been violated in any manner and

C.I.A.-4.

furthermore the wage paid all employees, White and Indian, are exactly the same, capability and the line of work being considered and the time books of this operation are records of proof.

Par. 2. I herewith make answer that this charge is preposterous. I have not the absolute authority to remove any person from the Reserve, that I do know persons have come here under the influence of liquor, and on their arrest they have been warned, fined or punished in some manner. That I have dismissed from our employ any habitual offender of this kind as a matter of common knowledge and in cases when offender can be, have had him prosecuted in U. S. Courts, whether the offender be Indian or White. When Mr. Tyrrell makes the statement that I never reprimand white employees who offend on this line, he simply does not tell the truth.

Par. 3. I herewith make answer that this statement is simply another case of ignorance or not telling the truth on his part. No man on this job can use a vile epithet toward another and it come to my knowledge and not be brought to task.

Par. 4. I herewith make answer that this is another preposterous statement made without basis of fact. There are no favored positions here. It is a matter of

C.I.A.-5.

common knowledge that every Indian employed or seeking employment is fitted in a task suitable to his capacity. We have Indian and White employees scattered throughout the mill, yards and camps, all performing tasks alike according to capability. We have White foreman and Indian foreman, White engine and Indian engineer, White clerks and Indian clerks. Difficult and unpleasant duties; there is nothing like this term in a lumbering operation. It is all work and all alike do their part in every part of the operation side by side.

Par. 5. I herewith make answer that Mr. Tyrrell or any one else do not know what they are talking about in statement made here. I not only am familiar but intimately so with the condition, life, homes, etc., of the so called Pagan Indians, obtained by personal acquaintance with them, visits to their settlements, attendance at their dances, not once but many times. They are not now nor have they ever been to my knowledge in a destitute or starving condition. There are a pitiful few families, that live according to their light and ^{who} ~~want and~~ refuse to live any other way. They hunt a little, fish some, trap more and

C.I.A.-8.

occasionally work and spend the great part of their earnings in feasts or dances or ceremonies of similar nature and are inveterate gamblers. The proposition was made to them to remove down near the Agency limits and new houses would be built for them but it was declined. They prefer to lead their lonely lives, apart from the Christian Indian in their own way. They are continually roaming here and there, progress but slowly and then only when I take their young men and set them at work.

When Mr. Tyrrell states what he does he simply frames a bunch of words for effect. I have visited their settlements and had employees investigate their homes, health conditions and with offers and inducements to work. This is record with living witnesses. I have an Indian policeman there who reports at least twice a month. There are living witnesses whom I have accompanied and also officials of the service who have looked them over. Not a settlement on this reserve but has been visited by me many times. I doubt if there is road or trail that I have not gone over.

Par. 6. I herewith make answer that here again Mr. Tyrrell exhibits ignorance of conditions. Such as he puts it is not the case. Neopit is a business proposition for

O.I.A.-7.

the Indians. Its products under the law are all salable. Any Indian can get wood or lumber for cash or for labor. In emergencies we donate to tide over a crisis. If he wants wood he gets a permit to cut 5 or 10 cords from dead and down slashings and he does. There is no such thing as anything being discarded as of no value. We may not find a demand to-day but will some day later. Even our waste has a certain value for filling in purposes in making yard room. Mr. Tyrrell by his own suggestion would have the Indian well able to work get something for nothing and thus breed laziness instead of industry.

Par. 7. I herewith make answer to charge contained in this paragraph that every word and line is a bare faced falsehood. The circumstances mentioned therein never happened to my knowledge. At different periods supplies in warehouse, camp or farm have spoiled and been condemned. No Indian was in need of food. If he was he would get wholesome, healthy food products and not rotten stuff.

Par. 8. I herewith make answer that the substance of this

C.I.A.-8.

paragraph is absolutely not so. To my knowledge two or three items were sold from Warehouse with a mistake made in selling price. On one item the error was remedied the next or succeeding day and the other several days later. Both mistakes were made, I believe, by the Indian assistant at the Warehouse. This matter has been investigated by supervising officers of the service, is an old complaint and the facts as stated were so found by them.

Par. 9. I herewith make answer that the charge as put forth in this paragraph is absolute rot. No intimidation or coercion either by inference, word or writing was ever attempted or made by me at any time against any member of tribe on their communicating to Washington or with any one else. My file is filled with correspondence forwarded through the office of letters sent in by Indians. At my office daily are statements made, what this Indian or that Indian has said or done or going to do. They are looked into if a reprimand is necessary, it is given and our relations remain the same, pleasant all around at least if one is to judge by greetings.

No member of the tribe has ever lost his job, been imprisoned or punished in any manner for any action he

C.I.A.-9.

may have taken against me personally. In cases when deserved the truth has been made known and the ridicule cast on the offender by fellow tribesman has to my mind been sufficient punishment.

I know exactly three Indians and one non Indian who have been misled enough by Mr. Tyrrell's rosy promises to contribute to his pocket book and in no case were either of them discharged. Two are at present and have been camp foreman, one is in a laboring position and the non Indian the same. This latter person I think it would be good policy to remove because of evident intent in advancing \$200 to Mr. Tyrrell or his associate to create an obligation on the tribe for which he in the future hopes to realize many fold. Mr. Tyrrell's statement that threats were made to incarcerate any one in jail if they attempt to communicate with the Secretary of the Interior or the Commissioner of Indian Affairs is a direct falsehood.

Par. 10. I herewith make answer to this paragraph that the statement contained therein is so ridiculous as not to be worthy of thought. Nothing was ever told the members of the tribe but the absolute truth eith-

C.I.A.-10.

er privately or publicly. I have told them the operation was a success, have told them it has made money and exactly how much since I came here. I have quoted them the figures from the books of this operation and read copies of official correspondence to them, showing them exactly how much money on deposit in the Treasury and the increase of same. I herewith reiterate this statement that during my administration these operations have been conducted at a profit and that it compares favorably with any in the state. The records of fact in this are in shape of sworn statements, the books and records of this operation are here to be verified. This operation has been inspected officially many times by officers in the service, their reports are recorded to be examined. In turn, I herewith charge Mr. Tyrrell with deliberate misrepresentation to the Indian, causing dissension in the tribe, with resultant loss in industrial advancement and submit his own statements as contained in Paragraphs 10 and 11 as evidence to back up what he has said to certain members of this tribe and also to other witnesses in public. I submit the books of this office and the

C.I.A.-11.

statement of Treasury on the Menominee Log Funds showing funds on hand Oct. 1, 1910, and statement of funds on hand Dec. 31, 1913, or June 30, 1913, showing increase in funds with statement of Resources and Liabilities as rendered on date of Sept. 30, 1913, to further convict the author of this statement of deliberate misrepresentation and false statement.

Par. 11. I herewith make answer to this paragraph that the statement contained therein are as ridiculous as the previous ones made. The Act of March 28, 1908, provides timber to be cut as forestry services shall designate which is done. The species of timber on this reserve show many species more valuable than Hemlock which is a drug on the market. That none but mature timber is cut is a fact, that Hemlock predominates in our cut by great percentage is a record in spite of fact that it is hard to cut with profit.

The estimated stumpage on the Reserve Oct. 1, 1910, was 1,750,000,000, consisting of in species in order of value and per cent. of stand.

Oak .01%; Pine 10%; Norway .02%; Basswood 15%; Butternut .00625%; Hickory .000625%; Rock Elm .06%; Ash .0075%; Spruce .00375%; Soft Elm .03%; Birch .05%; Cedar .01%; Tamarack .005%; Beech .000625%; Balsam .0024%; Maple 15%; Hemlock 40%. There has been cut since I took charge of this operation Oct. 1, 1910,

C.I.A.-12.

94,799,980 ft. consisting of oak, 65,110 ft., pine, 25675530 ft., Norway 2563282 ft., basswood 2496420 ft., hickory 370 ft., rock elm 364690 ft., ash 158950 ft., soft elm 557030 ft., birch 5119230 ft., cedar 1761480 ft., tamarack 83760 ft., maple 3963860 ft. and hemlock 51678000 ft.; other woods 61300 ft. From this it will be seen that there has been cut in stumpage of woods value at \$5.00 per M and less, approximately 64 million feet of the lowest valued timber against 30,800,342 Pine, Norway, Basswood and Oak, and in no cases was our cut of pine each year exceeding the per cent. of stand as shown by total. ^{except when necessary.} I would also call attention that the cutting of approximately 24 million feet Pine and Norway in 1911 and 1912 was due to the fire of 1910 and for no other reason. The records as per cost statements and our books are vouchers for this.

That Mr. Tyrrell is not a competent judge, to comment on this or any other plant is clearly evinced by his statement in this paragraph. The cut is not and has not been confined to the choicest standing timber and even if it was the emergency to be met would have to be considered with the possible loss that might be suffered. Also his comparison on prices for waney board timber and lumber show entire lack of all knowledge of lumber values which is very easily demonstrated. Market lists of lumber are public records. Correspondence attached to office letter Field-Forestry 33132-1913 make a comparison on

C.I.A.-13.

the item in question. In this it is shown that the ratios of profit to the tribe in favor of hewn timber is that of on Pine nearly 4 to 1 or to be exact \$57.00 per M net over stumpage and manufacture for hewn pine timber against \$14.17 per M on manufactured lumbers and on hewn Rock Elm timber the profit per M is immensely greater, namely, 57 cents per M on Rock Elm lumber and \$29.19 per M on Rock Elm timbers.

There has been no violation of Section 2 of said act by me regarding contracts. I respectfully refer to office letter dated March 21, 1913, Field-Forestry 33132-1913, J.P.K. and correspondence thereto attached, approving the sale and manufacture in which this matter was thoroughly entered into besides conference with Secretary of the author of the bill. Men are employed and paid by piece work to make lath and shingles. Section 2 of said act certainly conveys on the Secretary of the Interior the authority to employ labor at such work and at such compensation as shall be fixed and it is common practice among the mills of the country to perform work of this kind in this way. I deny in toto the latter part of statement in this paragraph referring to R. R. built at expense to tribe, waste in woods or anything in any manner that can be conveyed from the words as put in Mr. Tyrrell's charge.

Par. 12. I herewith make answer that no member of this tribe has ever been refused information, or access to the books of this

C.I.A.-14.

office. So far is this from the fact that it is a matter of record that at tribal councils I have invited the tribe to inspect our records, maintain a public copy in this office open to their inspection and also one at Keshena, which can be seen by them at any time and at no time has any demand ever been made by any single member of the tribe for this. I herewith say that never at any time has anything ever been done to conceal, hide, cover up any, if there be such short coming or act of negligence. There is no careless or incompetent administration. I invite always attention to anything in shape of criticism. I am frank to say that I have benefited hugely by same when given. I prefer hearty commendation of the foremost lumbermen of this country, experienced ones who know what they talk about, which has been given me on many occasions. They are records of facts, witnesses that can be called on to the idle clatter of such words as are put together by Mr. Tyrrell and his associates.

I knew absolutely nothing of any inquiry to be made into affairs here beyond the fact that inquiry was going on all the time, that the eyes and ears of the office were on this plant and my work every moment, either through correspondence or visiting official, information was sought all the time and certainly no Indian, white person or living being can say that they were asked directly or indirectly to cover up or conceal

C.I.A.-15.

or do a single thing to hide anything that should be known. In fact, I know to the contrary that the orders are to employees to place themselves at the free disposal of inspecting officials with books, records, information on anything they may be asked. It is unequivocal falsehood to say any one was discharged for such reason. I think every visiting official who ever came here will bear out these facts.

I cannot conceive any one being dense enough to say that this is the first time mill ever received any cleaning up. Does he not know that Insurance inspectors inspect here monthly, that supervising officials visit here, that there are living witnesses in shape of Foreman and employees to say nothing of time book records showing work each employee performs?

Par. 13. I herewith make answer to charges in this paragraph, a denial in toto. I am not unfair, unjust, arrogant, offensive and inscilent. I fill this position as I see it, a teacher to children, an executive to maintain law and order, discipline when necessary, teach industry, morality, sobriety, do what I can to improve health and home conditions and absolutely deny and can prove that no one but ever received the fairest consideration to the limit and even beyond. The only ones who may be in fear of having to leave the Reservation are the ones who are associated with Mr. Tyrrell, who fear being found out in their lying and efforts at creating unrest and dissension and

C.I.A.-16.

and who fear the punishment the office may give them and it would be only meet and fair so to do for they suffer the great body of the tribe much harm and loss toward industrial development by their continued agitation.

As to the unanimity concerned in Indians asking my removal, I do know this that the few associated with Mr. Tyrrell are so to a degree. Added to them can be placed the offenders on liquor trespass and law and order with perhaps a few who trail along with the crowd who make the most noise, thinking they are the majority. There may be possibly 60 in all of these. I also know this, that not concerned in this so called request for my removal are the great body of honest, industrious, law-abiding Indians, who make sincere effort for advancement of themselves and children. I also know that of those included in the possible 60 that there would not be a half dozen left only they are misled by the lying propaganda put forth by Mr. Tyrrell's associates to the effect contained in his statement number 10, together with the added one that failure of annuity payment is due to waste by me of interest money from which same is paid and a vision held out to them "Stand in behind us and money will flow, easy times, fine jobs, good pay, easy work."

I am finished beyond saying that the records of my work are open books here. I invite at any time, any moment, investigation

tion of my conduct of affairs by you, sir, or your able assistant or any other fair minded, experienced man you may send. In this connection I have lately experienced a visit from one of the Board of Indian Commissioners, Mr. Edward E. Ayer of Chicago, Ill., a lumberman of many years with plants many times larger than this, a knowledge of Indian affairs acquired through years of dealing with Indians. He was accompanied by his Secretary, as expert auditor, his Superintendent of Logging and a stenographer. They went over this plant from top to bottom and into the Indian question. The best inspection in the Indian office has been here, all competent men as I know their advice and judgment is most valuable.

This much I venture to suggest for the good of the Indian, it is time something definite was determined of the truth or falsity of these charges which have been handed in to the office by some parties for the year past, directly and through every available source they could reach. If the men interested are permitted to roam, making capital by misrepresentation, it would be but question of time when these aspiring leaders would undo all the good ever done on this Reserve.

Very respectfully,

ASN/MEC.

Superintendent.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM D. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
SAMUEL A. ELIOT, BOSTON, MASS.
FRANK KNOX, MANCHESTER, N. H.
EDWARD E. AYER, CHICAGO, ILL.
WILLIAM H. KETCHAM, WASHINGTON, D. C.
DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

Chicago. January 3, 1914.

Dear Father Schwarz:

Your letter is so splendid I would like to use that portion of it that I have not crossed off. Can't I say that I met a gentleman on the Reservation who did not care to have his name mentioned, but who had had considerable experience with the Indians and had thought of the subject a good deal and expressed the following views. Then let me put in the part of this letter that I have not crossed off. I think it would be fine.

Yours very truly,

Edmund E. Ayer

Father Simon Schwarz,
Keshena, (Shawano Co.)
Wisconsin.

Indian Commissioner.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Jan. 3, 1914.

Hon. Edward E. Ayer,
Chicago, Ill.

My dear Mr. Ayer:

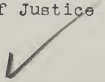
Replying to your letter of January 2nd on promises of Attorney Tyrell to the Indians, the best information I can get is, of course, talk amongst the Indians generally.

They have told the Indians that there is all kinds of waste here and to effect that their money is or will shortly all be used up. That this is the reason why their interest money is not being paid to them in shape of annuities.

They claim to be able to secure reimbursement to the tribe of approximately one-half million dollars claimed to be lost though what is known as dead and down operations.

They claim to be able to secure reimbursement to the tribe for timber cut by Stockbridge tribe at the time of their temporary occupation of the Menominee lands pending the arrangements for purchase of two townships from the Menominee tribe.

They claim to be able to secure to the tribe Sections 16 and the swamp lands claimed by the State of Wisconsin under the enabling act notwithstanding the fact that the matter is now before the U. S. Supreme Court, which case is on calendar, I believe, for February, the Department of Justice representing the Indian.



DEPARTMENT OF THE INTERIOR
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MENOMINEE INDIAN MILLS
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SHINGLES
LATH

E. E. A.-2.

They claim to be able to secure to the tribe reimbursement of all moneys paid out for Education of the Indian from tribal funds, whether to mission schools or government, claiming same should be made by direct appropriation of Congress.

They claim to be able to secure reimbursement to the tribe of certain thousands of dollars lost in operations during the three years past. What this is I do not know as it is of personal knowledge to me that in 1911, 1912 and 1913 the operation yielded a profit to the tribe.

They also claimed to be able to secure to the individual Indians who were concerned in logging contracts all money deducted by the government for waste and ^{now} compliance with terms of the contract. Also payment of what is known as the Traders claims bills but do not tell the tribe that if this should be done that payment will come out of the Tribal funds.

They also claim to be able to secure to the tribe all annuities due them past and future. In fact, they claim to be a ² cure-all for anything, everything of any nature. It is represented to certain Indians that they will protect them from the summary methods exercised by the Superintendent, particularly relating to liquor trespass cases and in fact have taken steps attempting to secure release of Indians, habitual boot leggers, who were arrested on indictment by U. S. Grand Jury. This is matter of record in this office and that of

DEPARTMENT OF THE INTERIOR
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E. E. A.-3.

the U. S. Attorney.

Their appeal has been such as to whet the appetite of the very worst elements of the Indian. For instance, to the so called Pagan Indian, a vast sum of money is to be restored him, annuities are to come along whenever he needs it. This, of course, to him brings rosy visions of not being compelled to seek a living by work, and a dream of easy life and dances. It also affects the other Indians somewhat inclined to be lazy or not work by furnishing them with prospects of easy money to aid in living. It has a certain appeal also to the idle and worthless Indian, who makes a practice of subsisting on his more industrious brother, knowing full well that there will be a full larder in which he can participate either in meals or appeal for a loan to tide himself over an emergency.

The effect of the whole is a far reaching one. It is about as follows:- The Indian has been started on the road of industrial self-development. He is fairly self supporting. Suddenly his attention is drawn to this fact. Why you have plenty money. It's a crime it's withheld from you. We'll get it for you. You will not have to work so hard. You can take things easier. The Indian thinking slowly comes to the same conclusion. The microbes in his blood from long ago ancestors assert themselves. To him his wants are simple, - a little tea, pork, salt, some flour, etc., and once more he can see visions of idle



DEPARTMENT OF THE INTERIOR
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E. E. A.-4.

contentedness. Did he know the value of a dollar, know the necessity of being a producer of something to take the place of what he spent, such preaching might not work much harm. It has been my experience that money placed in the Indian's hands for which he has not labored is a curse. This, of course, excepts the aged, the helpless and orphan and certain Indians materially advanced.


Respectfully,



ASN/MEC.

Superintendent.

Mr. Oshteen advised has promised to hand in a statement. Our mutual friend Mr. Taylor has presented a long list of charges to the Department, all of which he took up with you. They have been referred to me for answer.



GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM D. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
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DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

January 6, 1914.

Dear Commissioner Ayer:

I am enclosing herewith a suggestive outline of the program for the meeting on the night of February 5th and I should like to have, immediately, your suggestions as to any desirable changes in the subjects or arrangement of the addresses.

Sincerely yours,



Secretary.

Honorable Edward E. Ayer,
Railway Exchange Building,
Chicago, Ill.

FFA-JC.

ILLUSTRATED ADDRESSES
ON THE
NAVAHO, PAPAGO, PUEBLO & MENOMINEE INDIANS,
COVERING RECENT INVESTIGATIONS BY MEMBERS OF THE BOARD OF
INDIAN COMMISSIONERS.

The illustrations will consist of beautifully colored lantern slides and motion pictures taken by the recent Wannamaker Expedition of Citizenship to the various Indian tribes of the United States, which will be shown on this occasion for the first time, through the courtesy of Mr. Rodman Wannamaker. The illustrations will be described by Dr. Joseph Kossuth Dixon, leader of the Wannamaker Expedition.

P R O G R A M.

NAVAHO AND PAPAGO INDIANS:

Their character, industries
and needs,.....Hon. Samuel A. Eliot, of Boston.
(Illustrations showing types,
mode of life, schools and
other civilizing agencies).

MENOMINEE INDIANS, and their

interesting experiment in
lumber manufacturing,.....Hon. Edward E. Ayer, of Chicago.
(Illustrations showing types,
mode of life and motion
pictures showing details
of logging and operating
the Government's only
large Indian saw mill).

PUEBLO INDIANS:

Their ancient ceremonies
and their present needs,.....Hon. William H. Ketcham, of
Washington, D. C.
(Illustrations showing the
interesting architecture
of this remarkable people;
their industries,
their homes and their
schools).

Neopit, Wisc. January 7, 1914.

Hon. Edward E. Ayer,
Chicago, Ill,

Dear Sir:-

One of my friends told me, a short time ago, that he asked Thomas Prickett how Tyrrell was getting along at Washington and that Prickett told him that Mr. Tyrrell stood very high above all others in Washington, D. C.

And yesterday I had a talk with another member of the tribe who stands close to Prickett. I asked him what promises Tyrrell was making to the Indians as to what he could do for them, and he told me that Tyrrell was trying to get annuities for the Menominees and that he was also endeavoring to have an investigation made of Neopit affairs. That last Friday or Saturday Louis LaFrombois received a letter from Mr. Tyrrell stating that the Assistant Commissioner was favoring him. That the Commissioner of Indian Affairs was out west at Present and that when he returned he was going to take up Menominee matters, that he was coming here to make an investigation.

That it made no difference what Mr. Ayer or anybody else reported, that the Commissioner of Indian Affairs was going to make the investigation in person and that he was going to the bottom of the whole business.

Yours truly,

(signed) Mitchell Oshkenaniow.

Neopit, Wisc. Jan. 7, 1914.

Hon. Edward E. Ayer,
Chicago, Ill.

Dear Sir:

One of my friends told me, a short time ago, that he asked Thomas Prickett how Tyrrell was getting along at Washington and that Prickett told him that Mr Tyrrell stood very high above all others in Washington, D.C.

And yesterday I had a talk with another member of the tribe who stands close to Prickett. I asked him what promises Tyrrell ^{as to what he could do for them,} was making to the Indians, and he told me that Tyrrell was trying to get annuities for the

Menominees and that he was also endeavoring to have an investigation made of Neopit affairs. That last Friday or Saturday Louis La Frombois received a letter from Mr Tyrrell stating that the Assistant Commissioner was favoring him. That the Commissioner of Indian Affairs was out west at present and that when he returned he was going to take up Menominee matters, that he was coming here to make an investigation. That it made no difference what Mr Ayer or anybody else reported that the Commissioner of Indian Affairs was going to make the investigation in person and that he was going to the bottom of the whole business.

Yours truly,

Mitchell Oshkenaniew,

INDIAN BUREAU MAY BE SEVERED.

Separation from Department of Interior
is being discussed.

Senator Robinson Believes His Plan Would Check
Abuses from which Red Men Suffer.

Complete reorganization of Indian affairs, with the separation of the Indian Bureau from the Department of the Interior, may be established during the present Congress, as a result of the failure to check the many abuses under which the Indians are suffering.

Senator Robinson, of Arkansas, already has filed a bill to divorce the Indians from the Interior Department and to create what practically will be a department of Indian affairs. During the period when the Senate is waiting for the House to dispose of the appropriation bills he hopes to press his bill to passage through the Senate. With the organization of the Indian Service into a separate department, it is hoped to make it more responsive and more responsible to the general public.

Arguments in its favor.

There appear to be strong arguments in favor of the Robinson plan. The Indians own property worth \$1,000,000,000, including 2,000,000 acres of oil-producing lands, great timber and coal areas, and cattle worth upwards of \$25,000,000. It is urged that the Interior Department is waterlogged with its many branches of the public service, and that the Indians will have a better chance for justice and fair treatment under a department devoted solely to the administration of their affairs.

The reorganized civil commission on Indian affairs will meet in Washington the first week of February and take up a number of important matters relating to Indian administration. The Commission will check up on the abuses disclosed by the recent Congressional investigations, and it is expected to go into the question of why the conditions disclosed in the White Earth and other reservations have not been remedied.

Act Without Pay.

This Commission is a civil Indian body, acting without pay in an advisory capacity to the President and the Interior Department. In the past it has appeared to have been unable to cope successfully with the condition under which land sharks and other looters of the Indians have flourished, but it is hoped that the present

Commission will act with vigor enough to remedy some of the abuses.

Among the new members of the Commission is Isidore Dockweiler, of California, who was on the Democratic ticket for Lieutenant Governor of his State when Secretary of the Interior Lane was candidate for Governor. Dockweiler is a man of warm sympathies, and is expected to take a keen interest in aiding the Indians. He is a lawyer of note.

Neopit, Wis. Jan. 7, 1914.

Hon Edward E. Ayer,
Chicago, Ill.

Dear Sir:

In addition to what I wrote
to you this day I will say that
during the month of September last
Mr Webster Ballinger wrote a letter
in which he stated that the "Total
loss to the tribe during 5 years'
operations, approximately \$1429426.43."

Yours truly,

Mitchell Oshkenamiew,



Education-
Employees.
152669-1913
W B F

JAN -8 1914

Hon. George Vaux, Jr.,
1806 Morris Building,
1421 Chestnut Street,
Philadelphia, Pennsylvania.

Sir:

I have the honor to acknowledge the receipt of your letter of December 16, with which you transmit certain suggested changes in the specifications for the purchase of clothing for the Indian Reservations.

In the absence of the Commissioner in the field on official business, I take pleasure in advising you that the matter will have careful consideration before the next proposal blanks are printed.

Very respectfully,

E. B. Meritt
Assistant Commissioner.

1-AAC-7.

(Carbons to F.H. Abbot, Secretary,
Board of Indian Commissioners,
and Edward E. Ayer.)

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM D. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
SAMUEL A. ELIOT, BOSTON, MASS.
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DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS

BUREAU OF MINES BUILDING

WASHINGTON

Chicago. January 8, 1914.

Mr. Mitchell Oshkenaniew,

Neopit, Wiscensin.

Dear Sir:

I have your letters and contents noted.

Will you kindly let me know who Mr. Webster

Ballinger wrote the letter to, mentioned in yours
of January 7th?

Yours very truly,

David S. Clegg
by W. J. G.

Over

✓

Neopit, Wis Jan 13, 1914.

Hon Edward E Ayer
Chicago, Ill.

Dear Sir:

Mr Ballinger wrote the letter
to me.

Yours truly.

Mitchell Oskenanien.

Chicago. January 8, 1914.

Mr. Mitchell Oshkenaniew,

Neopit, Wisconsin.

Dear Sir:

I have your letters and contents noted.

Will you kindly let me know who Mr. Webster
Ballinger wrote the letter to, mentioned in yours
of January 7th?

Yours very truly,

AYER & LORD TIE CO.

INCORPORATED
RAILWAY EXCHANGE BUILDING
CHICAGO.

JOHN B. LORD, PRESIDENT & MANAGER.
EDWARD E. AYER, VICE PRESIDENT.
PHILIP R. SMITH, SECRETARY & TREASURER.

Chicago. January 13, 1914.

I hereby certify that the statements made in
my report dated December 30th, 1913, to Honorable
Edward E. Ayer, of the Board of Indian Commissioners,
regarding conditions on the Menominee Indian Reservation
are true and correct to the best of my knowledge and
belief.

Philip R. Smith

State of Illinois)
County of Cook) ss.

Subscribed and sworn to before me, a Notary
Public, this 13th day of January, 1914.

Arthur W. Armstrong
Notary Public

MAILED BY EXPRESS MAY 21, 1914

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Dear Mr. Ayer.

June 9-14

Enclosed declaration. If not what is
wanted - write a form and send to me. I
am told Mr. Tynell has inside track and quotes
in letter about Com. Merrill's influence. Well the
Secretary of the Interior is a regular man, and the
Commission is shown enough not to be misled.

Surely no one is foolish enough to prejudice
things.

Respectfully yours

E. J. Hinkston
Supt.

There is no way I can give light from one word
is said. They say nothing to me and have no chance.
I want to do it in the work every morning, I can.

Will be in Milwaukee - Tuesday to Thursday this
coming week attending the Court. If anything, wanted
I could probably go to Chicago one night. Will be
at Hotel Hoffman - Chicago & back to Milwaukee on Sunday.

My dear Mr. Sells:

I have your very cordial letter of January 19th, and thank you most sincerely. Any little courtesy that I have been able to extend to your son has given me quite as much pleasure as it has him, because I immediately recognized him as a serious-minded good boy and was delighted to know him.

With kindest regards to yourself and family, I remain,

Yours most respectfully,

January 23, 1914.

To
Honorable Gato Sells,
Com'r, Indian Affairs,
Washington, D. C.

Chicago. January 19, 1914.

Mr. L. P. Holland,
c/o Ayer & Lord Tie Co.,
Paducah, Kentucky.

Dear Holland:

I wrote you about January 9th, asking
for an affidavit in regard to your work on the
Menominee Reservation. Not hearing from you I
conclude the letter must have been lost.

Yours very truly,

EEA

Chicago. January 26, 1914.

Mr. L. P. Holland,
c/o Ayer & Lord Tie Company,
Paducah, Kentucky.

Dear Mr. Holland:

I wrote you about January 9th and again on January 19th, asking for an affidavit on your report on the Menominee Indian Reservation. I have affidavits from Mr. Smith, Nicholson, Kinney, Brigham and Crowell, and would like yours. My letters must have miscarried, as I haven't heard from you on the proposition. Wish you would send it immediately, as I have got to go to Washington the last of the week.

Yours very truly,

SSA

Chicago. January 8, 1914.

Mr. A. S. Nicholson, Supt.,
Menominee Indian Mills,
Neopit, Wisconsin.

Dear Sir:

How many feet of pine and how many
of elm have been sold to Kemnitz, or anybody else,
in hewd logs since you have been there?

Yours very truly,

Dear Sir:

I have your book, "The Battle of Gettysburg."

I am very much astonished to find that you have not seen one of the Wisconsin Historical publications, the "Battle of Gettysburg," by Lieutenant Haskell of the Iron Brigade, who was on Gibbons' staff, was mentioned in dispatches by several Generals during the battle, was promoted to First Lieutenant and to full Colonel for his bravery and work at the Battle of Gettysburg and was subsequently killed at Cold Harbor.

I have several copies and it would give me great pleasure to present you with one if you would like it. President Eliot of Harvard College pronounces it the best description of a battle of modern or ancient time. It was written within ten days after the battle and forwarded by the author's brother in Wisconsin without any thought of publication.

Very truly yours,

January 23, 1914.

To
Mr. Jesse Brown Young,
Author of "The Battle of Gettysburg"
care of Harper Brothers,
New York City, N. Y.

STUMPAGE RATES.

Specie	Percent. of Stand	Feet Of Stand	Rate of stumpage as recommended by Indian Office, Letter of 2-5-12.	Amount
White Pine	.10	175,000,000	11.00	1,925,000.00
Norway Pine	.02	35,000,000	6.80	238,000.00
Hemlock	.40	700,000,000	1.50	1,050,000.00
Maple	.15	262,500,000	1.75	459,375.00
Birch	.05	87,500,000	4.00	340,000.00
Basswood	.15	262,500,000	6.25	1,640,000.00
Rock Elm	.06	105,000,000	5.00	525,000.00
Soft Elm	.03	52,500,000	4.20	220,500.00
Oak	.01	17,500,000	11.50	201,250.00
Cedar	.01	17,500,000	3.00	52,500.00
Ash	.0075	13,125,000	5.00	65,625.00
Balsam	.0025	4,375,000	2.20	6,625.00
Spruce	.00375	6,562,500	4.65	30,515.62
Tamarack	.0050	8,750,000	2.40	20,900.00
Beech	.000625	1,093,750	2.40	2,625.00
Butternut)	.000625	1,093,750	5.15	5,632.28
Hickory)			5.15	
	<u>1.</u>	<u>1,750,000,000</u>	<u>3.88</u>	<u>Avge 6,787,172.90</u>

NOTE:

The above stumpage prices have been recommended by Indian Office (Letter of Feb. 5, 1912- I.O. File 102661-1911.) The percentage of stand has been fixed arbitrarily by Neopit Office, based on opinions of the different logging superintendents. Timber has never been cruised and estimated. Above rates of stumpage are to be used by the Menominee Indian Mills in wiping out the stumpage account, charging cost of logs with same as they are cut. To the above rates will be added one cent (1¢) per thousand feet to wipe out cost of 50% of burning brush and entire cost of fighting forest fires, which have been charged to the stumpage account; this expense being incurred for the protection of the standing timber.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM D. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
SAMUEL A. ELIOT, BOSTON, MASS.
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WILLIAM H. KETCHAM, WASHINGTON, D. C.
DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

January 8, 1914.

Dear Commissioner Ayer:

I am sending herewith a small supply of letter heads just printed, containing the names of the full membership of the Board. May I suggest that you use these letter heads for all outside correspondence and those formerly sent you for your correspondence with your Secretary.

Sincerely yours,

F. H. Abbott
Secretary.

Honorable Edward F. Ayer,
Chicago,
Ill.

FPA-JG.

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN SERVICE

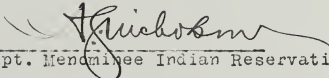
MENOMINEE INDIAN MILLS

NEOPIT, WIS. Jan. 9th, 1914.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

To whom it may concern:-

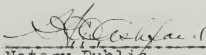
I, A.S. Nicholson, hereby certify on honor that the information given and report made by me to Hon. Edward E. Ayer, of the Board of Indian Commissioners regarding conditions on the Menominee Indian Reservation are true and correct to the best of my knowledge and belief. Figures of record ~~and~~ ^{are} copies of certified records of the Neopit operations and other information is obtained from sources which are creditable and upon personal investigation by myself and reputable employees here.


Supt. Menominee Indian Reservation.

Correction noted

Declared to before me this

9th day of January 1914.


Notary Public.

My Commission expires June 20, 1915

✓

STATEMENT OF LOUIS KESHENA.

My understanding is that Tyrrell and the other attorney are to try to get the "blown down" claims paid, but if they do it seems to me they will have to be paid by the tribe. Many members think these claims are to be paid by the government, but I do not want anything to do with lawyers in this. They are the cause of all the trouble in the past about this blown down business.

I hear that some members of the tribe have been loaning money to pay to Tyrrell, and they say the tribe is to pay this back, but I do not see how the tribe can be held for this money unless some council agrees to it. I hear some parties have taken money belonging to the church societies, the Relief Corps, and so on, and have loaned it for the lawyers, and they tell me they have no security for it, so they must have to make it good themselves. I hear much talk about the Reopit mill losing money and think the tribal members believe this because we do not receive annuities any more. I did not talk to Tyrrell myself, but I hear these things from other members who are working for him to get a contract. I also understand that Tyrrell is to secure annuity payment for the Menominees.

Louis Keshena

Statement made in presence of -

John F. Houtchens Asst. Clerk.

A. P. Maibe Asst. Supt.

Keshena, Wis., Jan. 10, 1914.



GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM D. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
SAMUEL A. ELIOT, BOSTON, MASS.
FRANK KNOX, MANCHESTER, N. H.
EDWARD E. AYER, CHICAGO, ILL.
WILLIAM H. KETCHAM, WASHINGTON, D. C.
DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

January 9, 1914.

Dear Commissioner Ayer:

There is enclosed herewith for your files a series of public documents containing statistical data and other information on Indian affairs for the fiscal year ending June 30, 1913, reported by the Secretary of the Interior in accordance with the requirements of various Acts of Congress. These documents you will find worthy of careful study and suggestive of a number of definite administrative and legislative needs. You may care to note some questions in connection with these documents to bring before the Board for discussion at its next meeting on February four, five and six.

Sincerely yours,

F. H. Abbott
Secretary.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

Duplicate letters to other
members of the Board.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

My dear Mr. Ayer,

Jan. 10 - 1912

Herewith total footage of pine - known
as timber for export cut on this Reservation.

To Wilson Bros.

Wausau, Wis.

425480 ft. Sawd & sides

" L. W. Kenworthy,

Green Bay

792850
1218330
1292360
16 to
1610690

These were short lengths 16 to 20 feet.

L. W. Kenworthy

392360 ft. Lumber pine

51088

" " Rock Elm

Mr. Barton

Canada - has cut and will take in

all about 300000 ft and Kenworthy
about 300000 ft more. Not having been
shipped scale is approximate. This covers
everything from first timber cut to date.

Respectfully yours

A. J. Johnson
Supt.

STATEMENT OF LOUIS SKESICKS.

I do not know myself; I have not attended any of the meetings, but this is what I hear the tribe say: It is just like throwing our money in the river - building new barns and houses at Keshena and Neopit, cutting timber, building new roads, and so on. Lots of people are dissatisfied. The mill is not making anything. No money coming in, all going out. I do not know what the lawyer promised to do, but he was to help the tribe so there would be no more trouble.

Witnessed by
Francis M. Bradley
may.

Louis Skesicks



Statement made in our presence.

John A. Santichon
Assistant Clerk.

Keshena, Wis., January 10, '14

H. P. Marble
Assistant Superintendent.

L

*Returned
for your files,*

January 10, 1914.

Dear Commissioner Ayer:

Complying with your request, in your letter of January eight, I called on Mr. Meritt, the Assistant Commissioner of Indian Affairs, and left with him the copy of Mitchell Oshkenaniaw's letter. Mr. Meritt denied that he was favoring Mr. Tyrrell and said that he thought very highly of you personally and would do nothing in any way to interfere with your investigation. I also showed your letter and enclosure to Mr. H.A. Meyer, Private Secretary to Secretary Lane, who assured me that he Secretary has great respect for you personally and officially and that he would await with interest your report.

Sincerely yours,

Secretary.

Hon. Edward E. Ayer,
Chicago, Ill.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM D. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
SAMUEL A. ELIOT, BOSTON, MASS.
FRANK KNOX, MANCHESTER, N. H.
EDWARD E. AYER, CHICAGO, ILL.
WILLIAM H. KETCHAM, WASHINGTON, D. C.
DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR

BOARD OF INDIAN COMMISSIONERS

BUREAU OF MINES BUILDING

WASHINGTON

Chicago. January 8, 1914.

Dear Mr. Abbott:

I got the inclosed letter today from Mr. Mitchell Oshkenaniew, who was one of the head men in fomenting the trouble up there, but has had a row since with Tyrrell and isn't friendly to his schemes. You can see how the correspondence is going on between Tyrrell in Washington and the disaffected Indians.

It seems incredible to me that Mr. Sells' Assistant Commissioner should, under any circumstances, express himself to this man on this subject while the matter was under investigation, and I don't believe he has. I wish you would see him and show him what Tyrrell told LaFrombois in his letter to him.

Of course it is a hopeless job to do this work if the Department itself is taking any such grounds, until my investigation is completed, and I don't believe they have. I inclose you a second copy of this letter that you may give to the Assistant Indian Commissioner.

Yours most respectfully,

Edmund E. Ayer

Mr. F. H. Abbott,
Secty., Board of Indian Commissioners,
Bureau of Mines,
Washington, D. C.

*I will be in Washington the 3rd
and send you copy of Report
and Exhibit Serial copy before
SSA*

Neopit, Wisc. January 7, 1914.

Hon. Edward E. Ayer,

Chicago, Ill.

Dear Sir:

One of my friends told me, a short time ago, that he asked Thomas Prickett how Tyrrell was getting along at Washington and that Prickett told him that Mr. Tyrrell stood very high above all others in Washington, D. C.

And yesterday I had a talk with another member of the tribe who stands close to Prickett. I asked him what promises Tyrrell was making to the Indians as to what he could do for them, and he told me that Tyrrell was trying to get annuities for the Menominees and that he was also endeavoring to have an investigation made of Neopit affairs. That last Friday or Saturday Louis LaFrombois received a letter from Mr. Tyrrell stating that the Assistant Commissioner was favoring him. That the Commissioner of Indian Affairs was out west at Present and that when he returned he was going to take up Menominee matters, that he was coming here to make an investigation.

That it made no difference what Mr. Ayer or anybody else reported, that the Commissioner of Indian Affairs was going to make the investigation in person and that he was going to the bottom of the whole business.

Yours truly,

(Signed) Mitchell Oshkenaniew.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS

NEOPIT, WIS. Jan. 10th, 1914.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Hon. Edward E. Ayer,
Chicago, ILL.

Sir:-

In my efforts to furnish you the informations and my opinions concerning Mr. D. F. Tyrrell of Gillette, Wis. an Attorney at Law, who profess to be representing the Menominee Tribe, s interest, will be similar to that of any other full blood and original member of the Menominee Tribe, because the various statements herein contained are obtained through rumors or gossips only, that are being circulated among the Indians by Mr. Tyrrell, s associates, and not by records of the Menominee Tribal Council as is the costum.

Mr. Tyrrell, s solicitation among the Indians as their counselor is being entertained entirely by the descendants of the mixed bloods who withdrew from the Menominee Tribe under the Treaty of 1849. and who through the symphy of the generous Menominee Tribe have just recently been adopted into the Tribe, as well as the half-breeds of the wandering bands who deserted the Menominee Tribe, in time of need, about the year of 1855. and who likewise have been reenstated into the Tribe only a short peroid of time, and who are employing every means to conceal from the fullblood and original members of the Tribe, the inside facts of their real purpose, and which I will endeavor to explain later.

We understand that Mr. Tyrrell in is talks to few of the Indians in is several mass meetings with them while he was on the Reservation is that the Government is not conducting our Tribal affairs properly

unde the present administeration, and that he would show the Tribe that their money is being wasted, both at Keshena and Neopit, Wis and that he could prevent all this waste by representing the Tribes interest himself and then cause a thorough Congressional investigation which would then result in the removal of the present Officials and then he could chose who he please from his party and assign them to the vacant Offices.


These actions of his of course is only keeping the Indians in a state of continious uproar and that means no benifit to the Indians, That is what I think about it.

We understand that the contractors from whom the Government deducted certain moneys on "Blown Down" should have their claims paid.

The White Contractor seems to be more anxious to have this claim paid than the Indian Contractor is.

The Tribe does not see no good reasons why these claims should be paid for the following reasons:- 2/

The majority of the Contractors were White-men such as Wallie Cook of Oconto, Wis. better known as the Lumber crook, August Anderson of Shawano, Wis. whom the Government is now prosecuting for defrauding the Government on Reservation Timber and Land, who did undertake to defraud the Government in the scaling of the blown down timber they did cut and hauled to landings. Mr. Tyrrell who has been telling the Indians for over a year about the wasting of timber on this Reservation is the Attorney for these Contractors who did cut and left logs on skids that was never hauled to the Mills or Landings which can be found all over the Blown Down District at any time now deteriorating, Mr. Tyrrell does not think it is a waste, If this is not a waste; I do not know what a waste is.



The reason why I have said that the majority of the Contractors were whitemen is, that the white-men done the logging under an Indian Name, and indeed very little if any at all, did the Indian benefit out of the profits. The Indian paid very few visits to his Logging Camps, In some cases I understand the Indians had never seen their Logging Camps.

Mr. Tyrrell is prosecuting the Menominee Tribe to recover the claims of individual Menominee Indians who were in partner-ship with these white-men in cutting this blown down timber and who did try to defraud the Government on the scale, and in many other ways did not live up to their Contracts. I do not see the Tribe,s benefits in this, since I understand the money that Mr. Tyrrell demands is to be paid out of the Tribal Funds, I do not know from any other source.


Mr. Tyrrell and his associates are inspiring in the minds of the Indians that one million four hundred and fourty-eight thousand dollars of the Menominee Indian money has been wasted in the logging and Milling operations under the act of March 28th, 1908, (35 Stat.L.51) by the present administration.

According to my observations and as far as my knowledge is concern in the records of the Neopit Office outside of the Blown Down Timber Question I can not see any waste that would amount to those figures.

Mr. Tyrrell claims to be able to secure a payment to the Menominee Tribe on certain claims known as the two mile strip claim.

Soon after the ratification of the Munsee-Stockbridge Treaty of 1856, A mutual agreement was made by these two Tribes with the Menominee Tribe in which it was agreed to exchange land as follows;-

The Munsee-Stockbridge Tribes^{agree} to give to the Menominee Tribe a two mile strip of land located on the north side of T 29 N. R 13 E.



And T 28 N. R 14 E. for a two mile strip of land located on the west side T 28 N. R 15 E. on the Menominee Reservation, While occupying this land the Munsee-Stockbridge Tribes cut and sold the merchantable Pine Timber off from it.

In the meantime by act of Congress Feb. 6, 1871. ³/ (16 Stat. 404) sold the following Munsee-Stockbridge land T 28 N. R 13 E. and the north half of T 28 N. R 14 E. This included the two mile strip given to the Menominee Tribe under the mutual agreement, without their knowledge and consent, and immediately after the discovery of the sale the Menominee Tribe demanded the forfeiture of the two mile strip on T 28 N. R 15 E. and vacate as well.

after many years had elapsed the Business Committee of the Menominee Tribe demanded an indemnity from the Munsee-Stockbridge Tribes for all the Timber they had cut and sold from these lands.

about the year of 1901 a meeting was held at Keshena, Wis. between the Munsee-Stockbridge Tribes Committee and the Menominee Business Committee to adjust this claim.

Each Committee was then represented by one of its members while the Government was represented by the Logging Superintendent of Keshena Wis. to go over the country and ascertain the amount of timber cut and sold by the Munsee-Stockbridge Tribes.

In their report they claim that ~~they~~ found absolutely impossible to ascertain by whom, where and the amount of timber that was cut on those lands, for the reason that the Menominee Indians have been cutting some timber from the same lands since the Munsee-Stockbridge Tribes vacated it, and that the stumps were so decayed and defaced by forest Fires that nothing was accomplished.

And the land and money that had been held in trust for the Munsee-

Stockbridge Tribes by the Government had all been distributed among them, and the Committes were unable to adjust the matter.

Therefore I see no way by which a Lawyer or anybody else can solve this question.

Mr Tyrrell claims to be able to restore to the Menominee Tribe their title to Section (16) and Swamp lands now claimed by the State of Wisconsin and which question is now before the Supreme Court of the United States. We fullblood Menominee Indians doubt very much in Mr. Tyrrell,s ability, and we object to his doing anything in the case, for we know no other that is more able to restore our title to us then the United States Government, and which means no expense to the Tribe.

Mr. Tyrrell claims to be able to secure annuity Payments for the Menominee Tribe, We believe this is absolutely unnecessary to go through to the expense in employing an Attorney for this purpose only, and at the end have his fees deducted from each one of our shares, when it can be secured by the Superintendent of the Reservation as it has always been done in the past.

The inside facts of Mr. Tyrrell,s real purpose is this; ^{4/}
Paying Positions, Land, Money, Timber and other properties of the Reservation that are of any value has been the spoils for the unscrupulous political Grafter in the past.

Once more as he gazed upon the tempting magnificent belt of Timber on our Reservation, the numercyfull rich Lumberman who have reaped his rich harvest from it for thirty-two years is not by any means discouraged by the determining effords of the Government in lending a protecting hand to its wards against the Grafters who are now rapidly losing their grasps with much regret.

The methods under which the Government is handling Indian affairs now are poison to the Grafter, and they are now using different tactics to overcome it.

First a meeting is necessary, to organize properly , Members of organization; (The Merchant, Lumberman, Land speculator, Banker and the Lawyer) then their course is outlined as follows:- An Officer must be detailed to the National Capital(Mr. Bellenger) Whos duties it shall be to bring to bear all his influence over every Departments of the Government that has jurisdiction over Indian affairs and over all members of Congress until their aim is accomplished.

Second Officer, the most important, whos qualifications must be of the ruthless type; (D.F.Tyrrell)

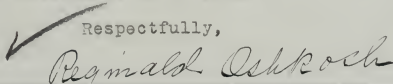
Who is to be detailed to the Reservation, and his duties are to approach the lazy, shiftless and low bred half-breeds who are as a general rule easy victims to a small bribes, and who are to be the Tools. (Tom Prickette and others)

Whos duties are to be, to penetrate into the Indian Country and destroy the Tribes, protecting power, then preach misrepresentations concerning the management of their affairs by the Government, and create dissatisfactions among them, induce them to terminate their relation with the Government as wards, and divide the Reservation resources.

If this is done, then Mr. Tyrrell, s real purpose is accomplished, The Indian then is once omore an easy picking for Grafter.

Will be pleased to furnish any informations to you at any time that will mean the betterment to my people.

Respectfully,

 Reginald Oshtoch

STATEMENT OF PETER TOMAW.

I have never talked to Mr. Tyrrell personally, but the members tell me that he has investigated and finds that lots of money has been wasted on this reservation, such as buying automobiles, and erecting fire towers, and he has promised to recover all of this money for the tribe. I know that the agent never asked the tribe if they wanted these automobiles bought or these towers built. I know that the peopit mill is losing money because we have not received any money this year in annuities. If we were getting our annuities I would know that the mill was making money, for when we used to log ourselves ^{we} and made money and put it in the bank ~~we always received annuities.~~ I am sure there is timber being wasted as Mr. Tyrrell says for I have seen logs cut last winter which have not yet been taken to the mill. Those who talked for Mr. Tyrrell promised that he would get us our annuities and get back all of our wasted money. I am president of the Temperance Society of West Branch and loaned \$20.00 belonging to the society to Mitchell Komanekin, to be used to pay Tyrrell, but the tribe is to pay it back. I do not have any papers to show that the money is to be paid back, but am sure they will do it.

*Witness to
mark*
Francis M. Balgus

Lia
Peter Tomaw

Statement made in presence of -

John H. Lautsch
Assistant Clerk.

H. M. Marbey

Assistant Superintendent.

Keshena, Wis., January 12, 1914. ✓

Chicago. January 10, 1914.

Mr. Louis Kemnitz,
Greenbay, Wisc.

Dear Mr. Kemnitz:

It looks as though I were to meet with considerable opposition at Washington in regard to my investigation at Neopit, and in order to strengthen my position you can oblige me very much by making an affidavit to the effect that the testimony inclosed is the truth, to the best of your knowledge and belief. I am asking my Mr. Holland and Mr. Smith to do this, and Mr. Brigham, Mr. Crowell and Mr. Nicholson.

Yours very truly,

J. P Kinney, Supervisor of Forests in the United States Indian Service, being duly sworn, deposes and says, that under dates of December 5, 1913, December 10, 1913, and December 16, 1913, he addressed letters to Mr. E. E. Ayer, of Chicago, Illinois, a member of the Board of Indian Commissioners, regarding conditions at the Neopit lumbering operation on the Menominee Indian Reservation, Wisconsin, and he further says that each and every statement of fact in the said letters was the truth to the best of his knowledge and belief and that each of the expressions of opinion therein stated represented his honest and true conviction.

J. P. Kinney

District of Columbia)
City of Washington) ss.

Subscribed and sworn to before me at Washington,
D. C. this thirteenth day of January, 1914.

MY COMMISSION EXPIRES AUG. 9, 1915

Allen J. Bridges
Notary Public.

✓

Chicago, January 12, 1914.

Dear Mr. Abbott:--

Per your request, I herewith return
copy of your letter to Hon. Franklin K. Lane
in regard to proposed amendments to the
estimates for expenses of the Indian Service
for 1915.

Yours very truly,



Mr. E. H. Abbott, *

Sec'y - Board of Indian Commissioners,
Washington, D.C.

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON

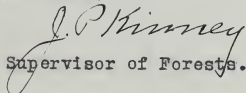
January 13, 1914.

My dear Mr. Ayer:

I have your letter of January 8, 1914, requesting that I submit an affidavit as to the truth of the statements made in my letters of December 5, 1913, December 10, 1913 and December 16, 1913 to you regarding the Neopit operation. I inclose an affidavit to that effect.

In all of these letters to you I attempted to state everything as carefully and accurately as possible. None of these reports should be taken as an indication that I saw nothing unfavorable or favorable to Mr. Nicholson's administration except such as was contained in the reports. What I did in these letters was to report faithfully the facts as to those things which the Indians and Mr. Tyrrel pointed out to me and to express my opinion as to the conclusions which they appeared to draw from some of the things which they offered to show.

Very truly yours,


Supervisor of Forests.

Hon. Edw. E. Ayer,
1515 Railway Exchange Building,
Chicago, Illinois.

DUPLICATE

STATEMENT OF JOE O'KATCHICUM.

Question. - What do you understand Tyrrell promises to do for the Menominee Indians?

Answer. - I understand the Indians hire the lawyer to get their annuities for them.

Question. - Do you understand the Neopit operations are losing money?

Answer. - I hear the Indians talking about the mills not making any money; and that our money in the Treasury is going out - none coming in.

Question. - Do you understand that Tyrrell investigated conditions around the mill?

Answer. - I hear other people say that the lawyer went through the cutting around Neopit.

Question. - Do you yourself think that the Neopit Operations are losing money now?

Answer. - I know they are. The Neopit mill has been losing our money ever since it started. I know this because we do not get our annuities now like we used to.

* * * *

I hereby certify that the above questions were asked by myself and answered in the manner indicated by Joe O'Katchicum, an enrolled Menominee Indian, the questions and answers being interpreted by John F. Wakeshon, assistant clerk, Keshena, who also certifies the same to be correct.

A. P. Marbey

Assistant Superintendent.

John F. Wakeshon

Assistant Clerk.

Keshena, Wisconsin,
January 13, 1914.

✓

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM O. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
SAMUEL A. ELIOT, BOSTON, MASS.
FRANK KNOX, MANCHESTER, N. H.
EDWARD E. AYER, CHICAGO, ILL.
WILLIAM H. KETCHAM, WASHINGTON, D. C.
DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS

BUREAU OF MINES BUILDING

WASHINGTON

January 14, 1914.

Dear Commissioner Ayer:

February four, five and six have been fixed by the Chairman as the dates of the next regular meeting of the Board. It is earnestly hoped that every member may find it possible to be present. In addition to the work, past, present and future, reports of field investigations will be made by Commissioners Eliot and Ketcham on Navaho, Papago, Pueblo, and Mescalero Apache Indian matters and Commissioner Ayer on conditions of the Menominee Indians.

Senator Joe Robinson, Chairman of the Joint Commission for the investigation of Indian affairs, has extended a most cordial invitation to members of the Board to meet, some time during its session here, with the members of the Joint Commission, for the discussion of important questions and policies relating to Indian administration, and especially to discuss the results of the Board's field investigations and any recommendations it may make with respect to the matters of irrigation on Indian reservations and the protection and preservation of the health of Indians.

The members of the Board are also asked to be the guests of the Washington Society of Engineers at the Auditorium of the Smithsonian Institution on the night of February five, at which time Commissioners Eliot, Ayer and Ketcham will deliver addresses covering their recent field investigations and Doctor Joseph K. Dixon, leader of the recent Wenamaker Expedition of Citizenship, to many of the Indian tribes, will show, for the first time, and describe, pictures including some motion pictures taken by him on the reservations discussed by the Commissioners.

The Secretary of the Washington Society of Engineers, asks that you send to me the names of any of your friends living in Washington or who may be visiting here at that time whom you should like to have present in order that invitations may be sent to them.

Sincerely yours,

F. H. Abbott
Secretary.

Hon. Edward E. Ayer,
Chicago, Ill.

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, O. C.
WILLIAM O. WALKER, BUFFALO, N. Y.
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DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS

BUREAU OF MINES BUILDING

WASHINGTON

January 14, 1914.

Dear Commissioner Ayer:

You will be interested to know that Senator Robinson, Chairman of the Joint Commission, whom I saw yesterday, expressed the keenest and most genuine interest in the results of your report concerning Menominee and asked that you give his Commission the benefit of your investigation and recommendations, and also that the entire membership of the Board meet with him and his associates for a thorough discussion of any reports or recommendations which our Board might have to make. The cordial and broadminded interest, which is being taken by the large men like Secretary Lane and a large number of Senators and Congressmen guarantee the most careful and respectful consideration of your report, a kind of consideration, in fact, which will sweep before it the petty attempts of petty men to advance their own selfish interests by trying to discredit in advance the results of your investigation. Indeed conditions upon the whole look most favorable.

Sincerely yours,



Secretary.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

FHA/RB.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE

KESHENA SCHOOL
KESHENA, WIS.

January 14, 1914.

Mr. Edward E. Ayer,
Railway Exchange Building,
Chicago, Illinois.

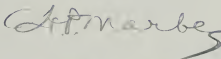
Dear Mr. Ayer:

Pursuant to a request from Mr. Nicholson, I have interviewed a number of Menominees, selected at random as they came into the agency office, and have secured a statement from as many as would give it freely and had some knowledge of the matter of employing an attorney for the tribe. Their understanding of the matter is, as indicated, usually obtained from the general discussion among members of the tribe, and few speak from actual information gleaned from Tyrrell himself.

From what I can ascertain in these examinations, nine-tenths of the discontent is occasioned by the non-receipt of annuity payments, which has been seized upon by agitators as a basis for the claim that their funds are wasted.

I shall be able to send a few more statements tomorrow, as they have yet to be signed.

Very sincerely,



Assistant Superintendent.

HPM/H

Encls.

Chicago. January 15, 1914.

Dear Senator LaFollette:

Mr. Abbott will deliver to you,
with my compliments, a copy of my report on the
affairs of the Menominee Indian Reservation.

It is possible that I may have
something additional to submit, and if so I
will bring it to the meeting the 1st of February.

Yours very truly,

To
Senator Robert M. LaFollette,
Washington, D. C.

Chicago. January 15, 1914.

Dear Mr. Abbott:

I am forwarding you by express five copies of my report on the affairs on the Menominee Indian Reservation. One copy is for Mr. Lane, one for Mr. Sells, one for the Board of Indian Commissioners, one for Chairman Robinson and one for Senator LaFollette. Will you kindly see that each of these gentlemen receive a copy of the report, with my compliments, and retain one for the use of the Board of Indian Commissioners?

As you open the flap on the boxes containing the reports you will find the name of the party for whom the particular report is intended. The original typewritten copy is for Mr. Lane.

I have written each of the above named gentlemen that I was sending all the reports to you and that they would be handed to them by you. It is possible that I may have something additional to submit, and if so I will bring it to the meeting the 1st of February.

Yours very truly,

To
Mr. F. E. Abbott, Secty.,
Board of Indian Com'rs,
Bureau of Mines Building,
Washington, D. C.

Chicago. January 15, 1914.

My dear Mr. Miller:

I have forwarded by express to Mr. Abbott, secretary of the Board of Indian Commissioners, five copies of my report on the Menominee Indian Reservation; one for the Commission, one for the Secretary of the Interior, one for Commissioner Sells, one for Senator LaFollette, and one for the Chairman of the Indian Investigating Committee.

Yours very truly,

To
Mr. Adolph Miller,
Asst. to Secretary Lane,
Washington, D. C.

Chicago. January 15, 1914.

Dear Mr. Sells:

Mr. Abbott will deliver to you, with my compliments, a copy of my report on the affairs of the Menominee Indian Reservation.

It is possible that I may have something additional to submit, and if so I will bring it to the meeting the 1st of February.

Yours very truly,

To
Honorable Cato Sells,
Com'r Indian Affairs,
Washington, D. C.

Dear Mr. Sells:

Inclosed please find two tickets for the Thomas Orchestra Saturday night. The other four seats will be occupied by Doctor Johnson and his wife, my daughter; and Mr. Carlton and his wife, librarian, of the Newberry Library.

Hoping you will enjoy the music, as I know you will, I remain,

Very truly yours,

Jan. 15, 1914.

To
Mr. D. D. Sells.

Chicago. January 15th, 1914.

Dear Mr. Kinney:

I have yours of January 13th and the accompanying affidavit, for which I thank you. There has been so much going on in Washington that I thought it would be better to have statements of yourself, Mr. Smith, Mr. Holland, Mr. Nicholson and others sworn to. Your letters certainly covered the whole ground and were without attempt to shield anybody, and were carefully made up. Of course, as you very well know, I knew nobody there and my effort has been to get at the exact facts, and your reports were as near this as could be. I thank you very kindly.

I shall be in Washington about February 2d, and shall be more than glad to see you.

Yours very truly,

To
Mr. J. P. Kinney,
Supervisor of Forests,
Dept. of the Interior,
Washington, D. C.

Chicago. January 15, 1914.

Dear Mr. Robinson:

Mr. Abbott will deliver to you, with my compliments, a copy of my report on the affairs of the Menominee Indian Reservation.

It is possible that I may have something additional to submit, and if so I will bring it to the meeting the 1st of February.

Yours very truly,

To Chairman Robinson,
Senate Investigating Committee,
Washington, D. C.

January 17th, 1914.

Dear Mr. Kinney:--

Yours of January 16th received
and contents noted.

Of course should the contingency
of my being interviewed arise, I will
follow carefully the course indicated
by you.

I take pleasure in saying that
during my short acquaintance with you
I formed a fine opinion of your
character and ability, and so stated
in my report.

I am very sorry you have any
trouble of this kind, and sincerely
hope it will come to nothing.

Yours very truly,

Edward E. Ayer

Mr. J. P. Kinney,
Washington, D.C.

*Kinney
has not letter
in his pocket*

ORIGINAL

CHICAGO, ILL.,

ILLINOIS CENTRAL RAILROAD COMPANY

IN ACCOUNT WITH **AYER & LORD TIE CO.**
(INCORPORATED)

RAILWAY EXCHANGE BLDG.

PURCHASE NO.

REQUISITION NO.

CONSIGNEE

CARE OF

CAR NO.

" "

" "

FROM

No.

FROG

FT.

AMOUNT

SET LIST

SWITCH TIES

FT. @

PER M.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

My dear Mr. Ayer,

Jan 17-1914

Inclosed copies of correspondence - received here
and my answer for your information

Mr. Tyrell phoned here last Monday to Keshena asked
for Tom Prickett and told him to at once obtain for him certain
letters written to various members of the Tribe. He seemed to be
greatly exercised about same, particularly letters written by
him to Prickett - Raframbois - Gauthier. This was
overheard by Mr. Marble at Keshena and Mr. Tyrell met
these Indians Tuesday at Murock's House Shawano to
get letters. I do not know what they contained.

I spoke to Mr. Hookaround about writing you all
argument for or against a general store on line of our talk.
With kindest remembrances from my family and myself
and many others here I am

Very sincerely yours.

A. G. Gibson

I received a note from Dr. Joseph K. Dixon who is to exhibit
at the Smithsonian at time of your meeting in February. He speaks
of hopes of meeting you there. He took many moving pictures
scenes of Menominee.

Executive Council

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President.
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First Vice-President

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PROF. F. A. MCKENZIE,
Associate Chairman

JOHN CARL PARISH,
Associate Secretary

The Society of American Indians

A National Organization of Americans

ORGANIZED AT OHIO STATE UNIVERSITY, APRIL, 1911

MEMBERSHIP: ACTIVE, ASSOCIATE AND JUNIOR

ACTIVE: PERSONS OF INDIAN BLOOD ONLY

HEADQUARTERS: WASHINGTON, D. C.

Barrister Building

Washington, D. C.,

Denver, Colorado, January 17, 1914.

Advisory Board

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Chairman
Colony, Okla.

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CHAS. R. DOXON
OLIVER LAMERE
MICHAEL WOLFE
ROBT J. HAMILTON
SAM'L L. BONNIN

Mr. Edward A. Ayer,

Chicago, Ill.

Dear Sir:

At a meeting of the Associate Members during the sessions of the Society of American Indians at Denver, October 14 to 20, 1913, a reorganization of the Associate Division was effected and the determination renewed to co-operate in every way possible with the Active Members in forwarding the movements which they have planned and are putting into effect. It was also determined to make an effort to extend as widely as possible the Associate Membership of the Society, for the sake of both moral and financial support.

This letter is written to keep you in touch with the activities of the Society in the light of its Third Conference, at Denver, Colorado. The sessions were attended by members from all parts of the country and the programs were marked by sane and progressive discussions of the purposes and possibilities of the Society and by gratifying reports on the activities and accomplishments of the past year.

The evils of the present anomalous status of the American Indian find specific remedy in the Carter Indian Code Bill which was drawn up by the Society and is now before Congress. It deserves every effort that you can exert to bring about its passage.

The Society, through its Legal Aid Committee, is pushing before Congress the Stephens Bill which opens to the Indian tribes the United States Court of Claims, which is now open to foreigners of all descriptions but is closed to the native American Indian. The passage of this bill will insure the early settlement of many just claims which have been neglected for years and in some cases for generations.

During the past year the Society has through its own efforts brought about the settlement of claims to the extent of many thousands of dollars on behalf of various Indian tribes. This accomplishment alone should justify the enthusiastic support of all who have at heart justice to the red man.

We wish to urge upon each individual Associate Member that you direct every possible effort toward aiding the well organized movements now before Congress in behalf of the Indian; toward the dissemination of knowledge and the awakening of interest among the whites in regard to the Indian; and toward the increase of the Associate Membership of the Society. Your interest and activity along these lines in the past have been appreciated, and constitute a very necessary and all-powerful influence in bringing to pass the results for which the Society of American Indians was organized.

Very sincerely yours,

F. A. McKenzie
John C. Parish

Chairman and Secretary of the Associate Division of
the Society of American Indians.

63D. CONGRESS,
2D SESSION.

S. J. RES. 101.

IN THE SENATE OF THE UNITED STATES.

JANUARY 19, 1914.

Mr. PENROSE introduced the following joint resolution; which was read twice and referred to the Committee on Indian Affairs.

JOINT RESOLUTION

Providing for the appointment of a commission to consider and report upon the Rodman Wanamaker expedition of citizenship to the North American Indian, and for a report upon the information secured by Doctor Joseph K. Dixon, leader of the expedition, and empowering the said commission to report a bill upon the entire reorganization of Indian affairs.

Whereas Rodman Wanamaker has sent forth under competent leadership and with the sanction of the President and the Department of the Interior an expedition which visited every Indian tribe in the United States; and

Whereas this expedition has carried the American flag to all the tribes, each tribe hoisting the flag and placing their signatures by thumb mark and pen to the declaration of allegiance to the United States Government; and

Whereas by this act a majority of the tribes visited have declared that a new day has dawned for them; and

Whereas an ideal of patriotism has been implanted in the Indian mind that has turned their thoughts toward ultimate citizenship and changed the thought of the Indian from prejudice to a willingness to receive the just approaches of the white man; and

Whereas this expedition has made a continuous journey to all the tribes, photographing each tribe, their environment, their customs, their types, studying the conditions of tribal, individual, and reservation life; and

Whereas this expedition, because of its neutral and unbiased investigations carried out with philanthropic and patriotic purpose, reached sources of information hitherto not available; and

Whereas a consensus of opinion obtains that a recodification of Indian laws is essential to the welfare of the Indian; and bills, commissions, treaties, false interpretations of existing statutes, frauds, and inextricable confusion exists to the detriment of the Indian; and all happiness, progress, and prosperity are shut out from the race; his life, health, and achievement of citizenship menaced: Therefore be it

1 *Resolved by the Senate and House of Representatives*
 2 *of the United States of America in Congress assembled,*
 3 That a commission of seven be appointed by the President
 4 to consider and report to Congress the conditions obtaining
 5 among the Indians as suggested by this report.

6 That this commission in conjunction with the Board
 7 of Indian Commissioners and Doctor Joseph K. Dixon, the
 8 leader of the Rodman Wanamaker expedition, be empowered
 9 to prepare a bill to be submitted to both Houses of Congress

1 that shall provide a nonpartisan, equitable, and comprehen-
 2 sive system for the administration of all that concerns the
 3 North American Indian—both reservation and nonreserva-
 4 tion Indians—within the jurisdiction of the United States.

JOINT RESOLUTION

Providing for the appointment of a commission to consider and report upon the Rodman Wanamaker expedition of citizenship to the North American Indian, and for a report upon the information secured by Doctor Joseph K. Dixon, leader of the expedition, and empowering the said commission to report a bill upon the entire reorganization of Indian affairs.

By MR. PENROSE.

JANUARY 19, 1914.—Read twice and referred to the Committee on Indian Affairs.

Chicago. January 19, 1914.

Dear Mr. Miller:

I send you clippings from a paper, "The New Republic" from Wasterville, Ohio, January 16th, to give you an idea of the additional influences at work in the Indian field. You can see to what lengths these people are going, even before my report is out.

Yours very truly,

Mr. Adolph C. Miller,
Asst. to Secretary Lane,
Washington, D. C.

Chicago. January 19, 1914.

Mr. Mitchell Oshkenaniew,
Neopit, Wisconsin.

Dear Sir;

If you have the original letter from Mr. Ballinger to you where he says the plant had lost something over a million dollars, I wish you would send it to me.

Yours very truly,

DEPARTMENT OF THE INTERIOR
OFFICE COMMISSIONER OF INDIAN AFFAIRS
WASHINGTON , January 19, 1914.

Hon. Edward E. Ayer,
Railway Exchange Building,
Chicago, Illinois.

My dear Mr. Ayer:

I have your recent letter concerning your report on Menominee and shall read same with interest.

I am just home from a somewhat extended trip and hasten to acknowledge receipt of Mrs. Ayer's volume "A Motor Flight through Algeria and Tunisia." I am sure Mrs. Sells and myself will have great pleasure in reading your experience of this automobile invasion of one of the most interesting countries of the world. When my attention is called to such experiences, as this and others you have enjoyed, it always makes me feel in a sense restricted relationship to society and wish for myself something of such opportunity as you have enjoyed, yet since this is impossible I covet the privilege of reading from those who have this larger contact.

Our son Donald has written and told us of your kindnesses to him and I want you to know that I am deeply appreciative of the consideration you have extended him; certainly it is very thoughtful of you and

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I hope I may have the opportunity of, in some way,
giving evidence of my appreciation.

With kindest personal regards to yourself and
family and wishing you a large share in the good things
of life, I am,

Sincerely yours,

A handwritten signature in cursive script, appearing to read "C. Kelly". The signature is written in dark ink and is positioned to the right of the typed name "C. Kelly".A long, thin, vertical line drawn in dark ink, extending downwards from the bottom of the signature. It is positioned to the right of the typed name "C. Kelly".

Washington, D. C., January 20, 1914.

To Members of the Board of Indian Commissioners:

The House Committee on Indian affairs today held its first meeting to consider the print of the Indian bill proposed by the House Sub Committee. Another meeting will be held tomorrow. It is not expected that the bill will pass the House during this month. Following are some items in which members of the Board will be particularly interested.

GENERAL ITEMS.

1. \$4000.00 is recommended by the Sub Committee for the expenses of the Board of Indian Commissioners. I called personally on the following members of the Committee and explained to them the plans of the Board and the character of its work substantially as was presented to the Sub Committee by Chairman Vaux and Commissioner Eliot on January 3. (the hearing on this item will be found on Pages 232 and following of the printed report of the hearings before the Sub Committee, sent you under separate cover) Carter, of Oklahoma; Hayden, of Arizona; Church, of California; Miller, of Minnesota; Burke, of South Dakota; Campbell, of Kansas; McQuire, of Oklahoma; Horton, of North Dakota. Members outside of the Committee with whom I discussed the same subject are Ferris, of Oklahoma; Kettner, of California; Lenroot, of Wisconsin. I explained to these gentlemen that the Board was asking for \$15,000.00 at least, but I did not want personally to urge any more than the Department estimate of \$5,000.00 unless the Department itself should see fit to revise its former estimate. It was understood at first that Mr. Church, of California, would make a motion in the full committee to increase the amount recommended by the sub committee to \$5000.00. This morning, Mr. Church called me up by phone and told me that he was informed that there was opposition to this increase from the Indian Office and for that reason he would not carry out his former plan of introducing the motion. I thanked Mr. Church for his past kindnesses in the matter and assured him that I did not want him to urge the increased appropriation over the objection of the Department and that I had not had any notice that the Department or Indian Office had changed its mind as to its former estimate. After my talk with Mr. Church, I called on Mr. Miller, of Minnesota, and told him the situation, and asked him to make no effort to increase the amount recommended by the sub committee until he had further definite information either from the Department or from me after the meeting of the Board in February. I learned from one other member

directly that he understood there was opposition to our appropriation from the Indian Office and from another that there was opposition in the committee. I conferred immediately with Commissioner Sells, after hearing the first report and he told me he knew of no opposition in the Indian Office and said that the \$5000.00 recommended by him was his judgment of what the Board should have and said he did not know what he would say if the proposition was made to increase the appropriation above that sum.

2. The sub committee print of the bill carries \$300,000.00 for the purchase of goods and supplies for the Indian Service, the same sum appropriated last year. The bill, however, contains the following very interesting provision:

"THE COMMISSIONER OF INDIAN AFFAIRS IS HEREBY AUTHORIZED AND DIRECTED TO MAINTAIN ONLY TWO PERMANENT WAREHOUSES FOR THE USE OF THE INDIAN SERVICE."

This subject the Board will doubtless wish to take up at its next meeting. (See the printed report of hearings before the sub committee for discussion of this item)

3. There is a reduction from \$200,000.00 to \$150,000.00 in the item for payment of Indian police.

4. For pay of special agents at \$2,000.00 per annum, there is an increase from \$105,000.00 for the current year, to \$116,450.00.

5. For the purpose of encouraging industry and self support there is an increase from \$100,000 for the current year to \$400,000.00. This is the reimbursable, revolving fund, which is strongly endorsed in the Board's last annual report.

6. For the determining of heirs of deceased Indians, the item is increased from \$50,000.00 to \$100,000.00, reimbursable.

7. The item for surveying and allotment of lands in severalty is reduced from \$200,000 to \$150,000 and the amendment, carried last year, which prohibited the expenditure of this appropriation in the states of Arizona and New Mexico has been cut out.

8. The item for Indian School support is the same as last year except that \$20,000 is added to pay tuition of Indian children in public schools.

9. The item for the suppression of the liquor traffic is the same as last year, \$100,000.

10. There is an increase from \$200,000 to \$260,000 to relieve distress among Indians and a provision made for compulsory treatment for disease, undoubtedly a most excellent provision.

- as last year
11. The same sum is provided for the construction, lease, purchase, etc., of school and agency building, \$400,000.
12. The same sum as last year, \$400,000, is provided for employment of farmers, field matrons and foresters.

SPECIAL ITEM.

The item in the sub committee print of the bill, which will be of greatest interest to members of the Board because of the Board's previous activities in connection with Oklahoma affairs, is the following:

"For expenses of administration of the affairs of the Five civilized Tribes of Oklahoma, and the compensation of employees, \$175,000.00, (the appropriation last year was \$250,000) PROVIDED, THAT THE OFFICE OF THE COMMISSIONER OF THE FIVE CIVILIZED TRIBES AND SUPERINTENDENT OF UNION AGENCY IN OKLAHOMA, BE, AND THE SAME ARE HEREBY, ABOLISHED, AND IN LIEU THEREOF, THERE BE APPOINTED BY THE PRESIDENT, BY AND WITH THE ADVICE AND CONSENT OF THE SENATE, AN ASSISTANT COMMISSIONER OF INDIAN AFFAIRS FOR THE FIVE CIVILIZED TRIBES, WITH HIS OFFICE LOCATED IN THE STATE OF OKLAHOMA, AT A SALARY OF \$5000.00 PER ANNUM".

In short this item proposes to take the administration of the Five Tribes' affairs out of the Civil Service, where it now is, legislate out of office Commissioner Wright and Superintendent Kelsey and place the administration of the Indians of the Five Tribes in politics.

There is considerable interest in the question of the appointment of a tribal attorney for the Creeks. The contract of Mr. M. L. Mott has expired. Mr. Mott is in the City. It is currently rumored that if Secretary Lane renews Mr. Mott's contract, an effort will be made by the opposition to prevent any appropriation to pay his salary after July first. On the other hand, Mr. Mott is quoted as saying that if he has the contract until July first there will be nothing left of importance for any other attorney to do after that date and that he will have no interest in holding the position after that.

Franklin

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM D. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
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EDWARD E. AYER, CHICAGO, ILL.
WILLIAM H. KETCHAM, WASHINGTON, D. C.
DANIEL SMILEY, MOHONK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

January 20, 1914.

Dear Commissioner Ayer:

I took your report home with me last night and stayed up with it until after one o'clock and until I had finished reading every word in it. The reading of all the papers only strenghtens my conviction as expressed in my yesterday's letter to you.

Several points occur to me as worthy of a little further consideration.

First: To carry out your recommendation in favor of open market sales instead of cash sales, as a means of saving to the Indians the middle man's profit, can be accomplished as is pointed out in one of Superintendent Nicholson's communications to you, only by an amendment to existing law, which he very satisfactorily covers.

One of the very most interesting and important of your recommendations, namely, that the Indians be given five or six hundred dollars for industrial betterment, the competent to have unrestricted use thereof and the incompetent to have the benefit thereof under proper supervision, can likewise be accomplished only by an amendment to existing law, as you will note the Menominee Act provides that only the interest of the tribal fund shall be used in annuity payments for the benefit of the tribe. What do you think of the idea of amending this part of the law so that a certain part of the tribal fund, say \$1,500,000, may be loaned to or invested for individual members of the tribe, the individuals to pay interest thereon at the rate of four per cent, the same as the interest paid by the Government? In this way the tribal endowment would be kept up so that the interest would pay expenses of the reservation properly chargeable to the tribe and at the same time the industrious members of the tribe, who are desirous of making themselves self supporting, would have the opportunity to do so. Of course that part of the accumulated principal, which would not be necessary, as a permanent endowment, could be deposited to the credit of the individuals in accordance with the provisions of the Stephen's bill, to which you refer in your report.

Let me give you briefly a little history on this general subject. When I came into the Indian Bureau there was no

precedent whatever for asking Congress for the advance of Government funds to Indians for their industrial improvement, the Indians to repay the sums advanced; and there was likewise no precedent for loaning to individual Indians the tribal funds under the supervision of the Department. Upon my recommendation the first reimbursable revolving funds for this purpose were appropriated by Congress three years ago and after I assumed charge of the Indian Bureau I began the use of tribal funds on a number of reservations for the benefit of the individuals, the individuals benefitted agreeing to return the sums so used under rules and regulations. I have no doubt that the rules and regulations, issued for this purpose, can be improved. In fact Superintendent Nicholson points out one need of change and that is to let competent Indians have actual possession of the money and make their own investments rather than having said investment supervised by the Superintendent.

The paragraph above is merely for your general information. The main point is that existing law will have to be changed in order to carry out your recommendation to turn over \$500 or \$600 to individual members of the tribe, and it may be desirable for us to work out a definite amendment to existing law to submit to the Committees of Congress and to the Secretary.

Second: Another point concerning your report, which I am sure will be raised is this: What did you find as to the actual net stumpage prices which have been placed to the credit of the Indians for the various varieties of their timber and are such stumpage prices in line with stumpage prices paid for similar timber in the same locality by private concerns? I remember distinctly that Congressman Konop, in one letter to the Indian Bureau, a letter which I infer was not sent to you by the Commissioner of Indian Affairs, made the statement that white pine in his country was worth a stumpage value of about fifteen dollars a thousand and that his understanding was that the mill, after making reasonable deductions for interest and deterioration would leave a net stumpage return to the Indians of a very much smaller amount. Of course your report very definitely covers this subject in a general way in your showing that the

GEORGE VAUX, JR., PHILADELPHIA, PA., CHAIRMAN
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 DANIEL SMILEY, MOHONK LAKE, N. Y.
 ISIDORE B. DOCKWILER, LOS ANGELES, CAL.
 FREDERICK M. ABBOTT, SECRETARY,
 WASHINGTON, D. C.

DEPARTMENT OF THE INTERIOR

BOARD OF INDIAN COMMISSIONERS

WASHINGTON, D. C.

January 22, 1914.

Dear Commissioner Ayer:

I enclose herewith copy of a letter, which I have just mailed to Chairman Vaux after a telephone conversation with him, together with the enclosures transmitted therewith. I am also enclosing a copy of a clipping from the Philadelphia Ledger under date of Wednesday morning, January twenty-one.

Commissioner Vaux informs me that upon reading this article he wrote a letter to Dr. Grammer, President of the Indian Rights Association, naming the charges and asking Dr. Grammer if he stood responsible for each and every one. Dr. Grammer answered the questions by saying that he had referred to an article from a publication from Westerville, Ohio. For your information, I am enclosing you a copy of this dirty sheet published by W. E. Johnson, who was forced out of the Indian Service because of irregularities by former First Assistant Secretary Samuel Adams, who can tell you all about him. This man has been printing scurrilous attacks upon me in practically every issue of his paper for more than two years. I have ignored them absolutely on the same theory that I have refrained from engaging in fights with skunks. Commissioner Vaux expresses the opinion that possibly the article in the Ledger is libelous and asked me to take up this phase of the matter with Commissioner Dockweiler, who wrote me that he expected to be here today. The Indian Rights Association, as you will observe from the Ledger article is doubtless working in cooperation with petty politicians in an attempt to defeat an appropriation for the Board's expenses next year by urging the "Commission of three" idea contained in Senator Robinson's bill, a copy of which I mailed you several weeks since. I am not at all alarmed at the prospect of a fight on the Menominee issue, or any other issue, and I am not sure but that a stand-up and knock-down fight with some of these petty politicians, some of them enrolled as reformers, will tend to clarify the atmosphere and result in benefit to the Indian.

You of course know better than any other living person how utterly I have refrained from even the expression of an opinion either concerning Superintendent Nicholson or the Menominee Mills, in discussing the matter with you or in my correspondence. Incidentally this stuff will give you a pretty clear idea of what an honest man in the Indian Bureau

has to contend with when he insists upon taking a straight course and refuses to be dominated by petty politicians in the guise often of friends of the Indian.

With very best wishes and looking forward to a most interesting and profitable meeting in February, I am

Sincerely yours,

W. A. A. A. A.
Secretary.

Encs.

January 22, 1914.

Dear Commissioner Vaux:

After reading the last paragraph in your letter about your controversy with Dr. Grammer of the Indian Rights Association, I sent out and got a copy of the 'Philadelphia Ledger' in which was published the interview of Dr. Grammer. In order to refresh your memory as to the beginning of Commissioner Ayer's investigation at Menominee I am enclosing copy of a typewritten statement of "Suggestion of Subjects Needing Board's Early Attention", which was placed in the hands of members of the Board at the Lake Mohonk meeting. You will observe that these subjects were arranged in the order of their importance and that Menominee was not even placed in the list of the reservations designated as of primary importance, and that in the two timber matters suggested for investigation as of secondary importance, Menominee was placed after Bad River. As a matter of fact I had never discussed the need of any investigation at Menominee with any member of the Board before the Lake Mohonk meeting, and then brought it to your attention as one of about fifty other subjects in the list, copy of which is sent you. I think you will recall that Commissioner Eliot introduced the subject of Menominee himself, and stated when he made this suggestion, that he had been very much interested in a conversation which he had with superintendent Nicholson and thought that if some of the plans superintendent Nicholson was working out there were practicable, it would be well for the Board to look into them, with a view of extending his methods elsewhere. Prior to this meeting, the only man to whom I had previously recommended an investigation of the Menominee mills, was to Commissioner Sells himself, and I made that suggestion, not because of my personal interest in superintendent Nicholson - - I had the fullest confidence then as I have now in his absolute integrity and efficiency; nor because there were charges made against him personally, for I had already had those charges investigated and knew they were groundless, -- but, because I had at that time and continued to have until Mr. Ayer's report was read by me, a real doubt as to whether the mill was actually paying to the Indians the stumpage prices they should receive for their timber; in fact, I had always entertained a doubt as to whether the Government could successfully operate a commercial enterprise of this kind in the face of all the necessary restraints upon its doing business 'across the table' the way the private business man does it.

G. V. Jr., -----2.

Commissioner Ayer's report ought to be absolutely convincing proof to any practical man, that the Menominee mills are being conducted in a fairly satisfactory manner, and he has very conclusively pointed out how the plant can be made to pay, at least, \$2.00 more per thousand feet stumpage to the Indians, and by pointing out these facts his report has accomplished exactly what Commissioner Eliot had in mind, namely, - that a conclusive report on the Menominee mills, if favorable, would form a proper basis for the establishment of similar enterprises on other reservations.

In this latter connection, you will be interested to know that I have a letter from the President of the Water Users' Association from Klamath Falls, Oregon, for presentation to the Board at its next meeting, advocating very strongly the establishment of a saw mill on the Klamath Indian reservation, where there are eleven billion (11,000,000,000) feet of mature timber, to manufacture lumber for the market and furnish employment to the Indians. This gentlemen, of course, did not know anything about the Menominee Indian mill, but nevertheless his recommendation is very substantially supported by Commissioner Ayer's Menominee report.

Dr. Grammer's interview, in its utter disregard of essential facts, is characteristic of most all the published statements from him and other officials of that association.

Sincerely yours,

Secretary.

Honorable George Vaux, Jr.,
1606 - Morris Building,
Philadelphia, Pa.

FHA-JG.

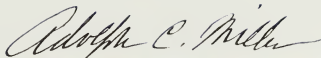
THE SECRETARY OF THE INTERIOR
WASHINGTON

January 22, 1914.

Dear Mr. Ayer:

I thank you for your note and the clippings from "The New Republic" of Westerville, Ohio, of January 16. I shall put them in the hands of the Secretary, though I think he will understand what is doing even apart from such reports. He is a wise man and a good man, and you can be assured that your report will receive attentive and appreciative reading.

Faithfully yours,

A handwritten signature in cursive script, reading "Adolph C. Miller".

Assistant to the Secretary.

Edward C. Ayer, Esq.,
Railway Exchange Bldg.,
Chicago, Illinois.

United States Senate,

COMMITTEE ON CORPORATIONS
ORGANIZED IN THE DISTRICT OF COLUMBIA,
WASHINGTON, D. C.

January 22, 1914.

Hon. Edward E. Ayer,
Chicago, Ill.

My dear Commissioner Ayer:

Just a line to acknowledge receipt from you, through Mr. Abbott, of a copy of your report of the investigation which you made into the affairs of the Menominee Indian Reservation, and to thank you for the same. I have not had opportunity to read it, but you may be assured that I shall go over it carefully, as well as anything additional which you may submit.

With kind personal regards, I am,

Very truly yours,

Robert M. La Follette

Chicago. January 22, 1914.

Mr. A. S. Nicholson, Supt.,
Menominee Indian Mills,
Neopit, Wisconsin.

Dear Mr. Nicholson:

I have in my office, amongst the papers that I received from Washington, the page which I am inclosing, which speaks for itself. I would like the following information to add to my report to the Government.

How much lumber and of what kinds were cut and sold by you the first year you had charge of the plant. The profit was excessively small that year, - only about \$10,000 - and what was the reason for that?

How much lumber was cut the next two years, which has shown, from your statement, a profit of \$440, or \$444,000.00? In these two years how much of each kind of lumber was cut; how much stumpage was charged against such cut for each kind of lumber; what was the average of your stumpage; and how many dollars and what per cent. was left as net profit after deducting the stumpage? and are such prices credited to the stumpage account about what maintains in the other lumber districts, as far as you know?

If the entire profit of the two years, that is, \$440, or \$444,000.00 was all credited to stumpage what would the average be on the lumber handled during the two years?

I would like this information at your very earliest convenience as I shall start for Washington not later than a week from Sunday night and would like it as a part of my report.

Yours very truly,

Inclosure.

GEORGE VAUX JR., PHILADELPHIA, PA., CHAIRMAN
MERRILL E. GATES, WASHINGTON, D. C.
WILLIAM C. WALKER, BUFFALO, N. Y.
WARREN K. MOOREHEAD, ANDOVER, MASS.
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DANIEL SMILEY, MOHOKK LAKE, N. Y.
FREDERICK H. ABBOTT, WASHINGTON, D. C., SECRETARY.

DEPARTMENT OF THE INTERIOR
BOARD OF INDIAN COMMISSIONERS
BUREAU OF MINES BUILDING
WASHINGTON

January 23, 1914.

Dear Commissioner Ayer:

I am just in receipt of your letter asking for the letter from Mitchell Oshkenaniew. A few days ago I sent these papers to Chairman Vaux and I am today writing him to send you a copy of the letter which you desire or the original if he has that.

Sincerely yours,

F. H. Abbott
Secretary.

Hon. Edward E. Ayer,
Railway Exchange Bldg.,
Chicago, Ill.

FHA/RB.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE

KESHENA SCHOOL
KESHENA, WIS.

January 26, 1914.

Mr. Edward E. Ayer,
Railway Exchange Building,
Chicago, Illinois.

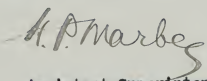
Dear Mr. Ayer:

referring to my previous letter of the 14th instant, and your request for information regarding the view taken by the Menominee Indians as to what the lawyer was to accomplish for them, I have been unable to secure signatures to all of the statements taken owing to difficulty in getting the men in from the reservation.

Therefore I am enclosing those statements already signed - two in number - and duplicates of those not yet signed. These statements being made in the presence of myself, the stenographer and interpreter are quite well established as correct, even without the signature of the parties in question. The originals will be sent you later as they are signed.

Very respectfully,

HPM/H - Encls.


Assistant Superintendent.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS
NEOPIT, WIS.

WHITE PINE
NORWAY PINE
BASSWOOD
ROCK ELM
SOFT ELM
BIRCH
MAPLE
HEMLOCK
OAK
ASH
SHINGLES
LATH

Jan. 26, 1914.

Hon. Edward E. Ayer,
Chicago, Ill.

Dear Mr. Ayer:

I have your letter of January 22nd inclosing stumpage list and asking for certain additional information on the business affairs of this operation and I inclose you herewith copies of the official records of this plant which are also records of the Indian office and which speak for themselves. Records July 1, 1910, to Sept. 30, 1911, Ex. 1 Records Oct. 1, 1911, to Sept. 30, 1912, Ex. 2 Records Oct. 1, 1912, to Sept. 30, 1913, Ex. 3 and summary ~~X~~ with notes.

QUESTION 1. How much lumber and of what kinds were cut and sold by you the first year you had charge of the plant?

Ans. On summary X you will find from July 1, 1910, to Sept. 30, 1911, that 31,071,260 Ft. logs cut and Ex. 1, page 1, will give you the species scale of same. 27,073,154 Ft. of lumber was sold and used this year. The percentages of lumber sold and used would be about same as logs cut but the greatest part of lumber sold would be of lumber cut and put in yard prior to my taking actual charge of mills, Oct. 1, 1910.

QUESTION 2. The profit was excessively small that year, - only about \$10000, and what was the reason for that?

Ans. The item of \$10000 spoken of is not the actual profit. It is the approximate figure representing excess of receipts over

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Hon. Edward E. Ayer.-2.

all disbursements. The total net profit for the year was \$60537.02, see first item in summary X which you will find itemized on Ex. 1, Page 4. The difference is accounted for on disbursements for operations for the following year and also because considerable portion of lumber sold was from products on hand in yard which cost more to manufacture than prices realized. (see also notes.) In this connection it would be well to note that I took hold Oct. 1, 1910, prior to this a considerable outlay had already taken place for the coming season's work. Considerable re-adjustment and reorganization had to take place after date Oct. 1, 1910, in order to make this plant pay. The disbursements for the period from Nov. 1, 1909, to June 30, 1910, had exceeded the receipts by \$141,513.88. This seemed to me quite a swing over into the right column effected without hindrance to work, loss, etc.

QUESTION 3. How much lumber was cut the next two years which has shown from your statement a profit of \$440,000 or \$444,000?

Ans. Here again I think you mean excess of receipts over all disbursements and not profit. Summary X, Page 1, gives net profit for these two years, together with stumpage charged, which is also profit.

QUESTION 4. In these two years how much of each kind of lumber was cut?

Ans. Summary X gives logs cut in these years and lumber

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Hon. Edward E. Ayer.-3.

sold, and Ex. 2 and 3, pages 1, give species of same.

QUESTION 5. How much stumpage was charged against such cut for each kind of lumber?

Ans. Ex. 2 and 3 give the scale of each species and stumpage rate charged which agree with the totals shown on Summary X.

QUESTION 6. What was the average of your stumpage?

Ans. Ex. 1, 2 and 3 show rates of stumpage charged and average of same according to species of the cut.

QUESTION 7. How many dollars and what per cent. was left as net profit after deducting the stumpage?

Ans. Summary X, page 1, gives the net profit showing \$245,213.55 as net profit over and above stumpage and on Summary X, page 2, notes you will find the present profit for capital invested for each year.

QUESTION 8. Are such prices credited to stumpage account about what maintains in other lumber districts as far as you know?

Ans. They are. The rates are based on information received from the chief operations in Wisconsin, Michigan and Minnesota. I obtained same by personal inquiry from such firms as Paine Lumber Co., R. Connor & Co., Menasha Woodenware Co., Sawyer, Goodman & Co., Oconto Lumber Co., Brown Bros. Lumber Co., J. R. Davis Lumber Co., Diamond Lumber Co., Scorpion Lumber Co., The Stephenson Co., Wisconsin Land & Lumber Co., Northwestern L. & L. Co., Escanaba Lumber Co.

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Hon. Edward E. Ayer.-4.

Virginia & Rainey Lakes Operation, Cloquet Lumber Co., and contracts for sale timber on Indian Reserves in this state. They compare with information gathered by U. S. Forest Service. The average is about correct although the species rate on some particular items may vary on account of class of timber.

QUESTION 2. If the entire profit of the two years, that is, \$440,000 or \$444,000, was all credited to stumpage, what would the average be on all lumber handled during the two years?

Ans. The total lumber logs cut for 1911, 1912, 1913 is 101,739,375 Ft. The total excess of receipts over disbursements for these three years is \$451,516.33. On this basis this would equal an average rate of \$4.43. This average rate applied as per estimated stand as shown on stumpage rate sheet which is inclosed would make some increase over the rate charged on each species according to per cent. of stand.

Excess of receipts is not the real profit, however, as there is in yard on Sept. 30, 1913, 28,325,980 Ft. of lumber and other by-products which is represented in the disbursements already made and which is a resource to be figured. On Summary X, page 1, you will find this profit shown with average per M. on lumber scale.

I inclose two statements, one showing financial condition of log fund on June 30, 1910, and resources, and the other showing the resources on Sept. 30, 1913. Comparison of these will show considerable improvement.

DEPARTMENT OF THE INTERIOR
UNITED STATES INDIAN SERVICE
MENOMINEE INDIAN MILLS .
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Hon. Edward E. Ayer.-5.

Of course, it is impossible to show any where the improvement and advance in home, social and other condition of the Indians in town. They have benefited immeasurably in home living, dress, better houses, industrially, in every way that can be considered.

Respectfully,



Superintendent.

Enc.

ASN/MEC.

LAW OFFICE OF
D. F. TYRRELL

Gillett, Wis., January 27, 1914.

Mr. Edward E. Ayer,
Chicago, Ill.

Dear Sir:-

In looking over my correspondence I find that a letter from you, containing the following inquiry is unanswered.

"You mentioned several times, at Neopit, that you ~~had~~ thought there was plenty of Indians there perfectly capable of running logging camps and to take almost any position around the plant, or in the woods. Would you be kind enough to give me the name of those you think would be capable of that kind of work? I certainly agree with you that wherever possible such Indians should be worked in as good places as they can fill."

With reference to your inquiry I desire to reiterate that there are plenty of Indians perfectly capable of running logging camps and of filling many positions now held by white men on the reservation. I would not attempt to give the names of these men for they are well known to Superintendent Nicholason and you could very easily have ascertained the truth of my statement by a little inquiry while upon the reservation.

Very truly,

D. F. Tyrrell

DFT/LM.

Jan. 29th, 1914.

Dear Mr. Marble:--

I leave here Sunday night for
Washington.

In making up my supplementary report,
I shall only use those statements which
have been signed by the people. If I
get any more by Saturday night, I shall be
very glad to incorporate them.

With kindest regards to you and
Mrs. Marble,

Yours very truly,

Mr. H. P. Marble,
Keshena,
Wis.

A handwritten signature in dark ink, appearing to be 'Z. W.' or similar, written in a cursive style.

AYER & LORD TIE CO.

INCORPORATED
RAILWAY EXCHANGE BUILDING
CHICAGO.

JOHN B. LORD, PRESIDENT & MANAGER.
EDWARD E. AYER, VICE PRESIDENT.
PHILIP R. SMITH, SECRETARY & TREASURER.

PADUCAH OFFICE

AL. H. N.
JAN 31 1914
PADUCAH, KY., Jan. 26, 1914.

Hon. Edward E. Ayer,

Chicago, Ill.

Dear Sir,

I have yours of the 19th and 26th on my return home. I am enclosing herewith my affidavit to my report of the Menominee Indian Reservation.

Yours very truly,

L. P. Holland.
L -

LPH-L

enc.

AYER & LORD TIE CO.

INCORPORATED
RAILWAY EXCHANGE BUILDING
CHICAGO.

JOHN B. LORD, PRESIDENT & MANAGER
EDWARD E. AYER, VICE PRESIDENT.
PHILIP R. SMITH, SECRETARY & TREASURER.

January 29th 1914.

I hereby certify that the statements made
in my report dated December 4th, 1913, to Honorable
Edward E. Ayer, of the Board of Indian Commissioners,
regarding conditions on the Menominee Indian Reservation
are true and correct to the best of my knowledge and
belief.

L. P. Ballard

State of Kentucky)
County of Wendover) ss.

Subscribed and sworn to before me, a Notary
Public, this 29th day of January, 1914.

Francis G. Gurnea
Notary Public.

My Commission
expires Jan. 30th 1916.

✓
u

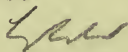
Jan. 3 0th, 1914 .

Dear Mr. Abbott:--

I shall leave here next Sunday night, February 1st, arriving in Washington at 4:40 Monday afternoon.

If convenient, wish you would come to The New Willard, say about 5:30 or 6 p.m., as I would like to give you my supplementary report so you can become familiar with it early as possible.

Yours very truly,



Mr. E. W. Abbott, Sec'y,
Board of Indian Commissioners,
Washington, D.C.

TRIPLICATE

CHICAGO, ILL.,

ILLINOIS CENTRAL RAILROAD COMPANY

IN ACCOUNT WITH **AYER & LORD TIE CO.**
(INCORPORATED)

RAILWAY EXCHANGE BLDG.

PURCHASE NO.

REQUISITION NO.

CONSIGNEE

CARE OF

CAR NO.

" "

" "

FROM

No.	FROG	FT.	AMOUNT	
SET LIST	SWITCH TIES	FT. @	PER M.	

The following letter from Joseph Craig, a full-blooded Umatilla Indian, is so sound a statement of the most fundamental need in Indian Affairs, that I am mailing a copy to each member of the Board.

COPY.

Pendleton, Oregon,
January 30, 1914.

Hon. F.H. Abbott,
Sec. Board of Ind. Affairs,
Washington, D.C.

My dear Friend:

I beg to acknowledge the receipt of your letter which came during my absence. I am very much pleased to hear from you and very glad to know that you are still connected with the work for the benefit of the Indian Race. I also thank you for the congratulation you gave me for the little spiel I made, greeting the Wannamaker Expedition last summer. I made it as from the standpoint of an Indian and of course I do not know how funny or how offensive it may have sounded to the ears of the "pale face". However, I still hold that there are some painful truths in my little speech.

I am trying, with some of my friends, to have our Superintendent arrange with the Indian Bureau for an interview both with the new Commissioners and the Secretary of the Interior in the near future. There are a few things that we would like to ask for that we know would greatly benefit our people in this reservation.

We are asking that about six of us accompanied by our Superintendent be granted the privilege of visiting Washington - expenses to be paid out of some funds belonging to us in general. These men are younger class of Indians actually engaged in farming and in other useful occupations, and are therefore possessed of progressive ideas that are not entertained by our good old war Chiefs.

This grand Government of ours may boast of everything - but it has failed, neglected and refused to give to the North American Indian a VOICE at least, in the administration of his own affairs.

2.

Send out an Inspector or a Special Agent to investigate some reservation matters. He will take a flying trip across the reservation country and then make his "report" -- very frequently sit around the Agency office smoking cigars - and what does he know about the real wants of the Indians?

To my way of thinking, Mr. Abbott, if the Indian Bureau would confer with the younger generation of Indians together with their respective Superintendents or Agents - Indians who are awake, sober, industrious and self-supporting - concerning what would be the most beneficial to their people, the result would be much greater than from sending out Inspectors or Special Agents, who are out to earn their dollars and care for nothing else.

My humble opinion in this line is, until the intelligent class of Indians have been given the opportunity to present their views upon matters that directly concern their affairs, the so-called "Indian Problem" that has baffled the white man's brains for half a century will remain unsolved.

What do you think? If it comes in your way put in a word for us. I hope to hear from you again.

I am your friend,

Joseph Craig,
Pendleton, Oregon.

Box 475.

Chicago. January 30, 1914.

Mr. D. F. Tyrrell,

Gillette, Wisconsin.

Dear Sir:

I have your letter of January 27th and contents noted. I have made the letter a part of my report, as you undoubtedly expected I would.

Yours very truly,

Chicago. January 30th, 1914.

Mr. A. S. Nicholson, Supt.,
Monominee Indian Mills,
Neopit, Wisconsin.

Dear Mr. Nicholson:

I have your inclosures in answer to my letter of January 22d. Wherever I have used the number 444,000 I have always used Profits Including Stumpage. I am exceedingly obliged to you and shall make the Summary a part of my report. Would it be any use to have the details that you have sent me returned? If so we will do so.

I am afraid I put you to more labor than necessary as all I wanted was the Summary.

Yours very truly,